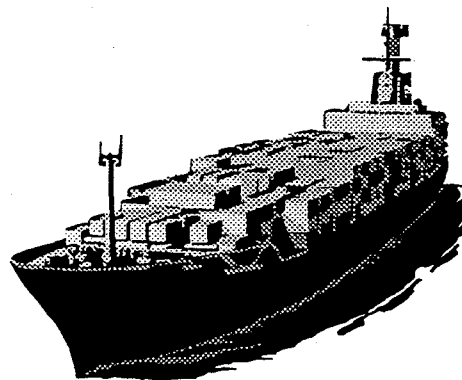
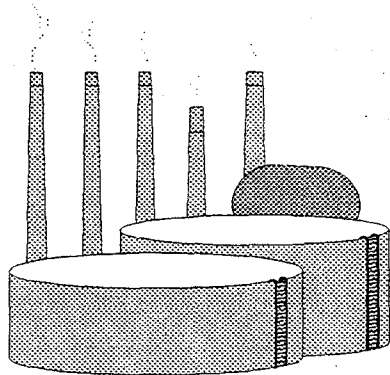




# Manual for Review of Facility and Vessel Oil Spill Contingency Plans



April 1999  
Publication 99-252

printed on recycled paper

PROPERTY OF STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY LIBRARY

**ABSTRACT:** This manual is provides guidance to those who are writing vessel or facility oil spill contingency plans and to the Ecology staff who review the submitted plans. If additional information is required, please contact the regional or headquarter staff as identified in Figure 2-1 of this manual or call (360) 407-6959.

The Department of Ecology is an equal-opportunity agency and does not discriminate on the basis of race, creed, color, disability, age, religion, national origin, sex, marital status, disabled-veteran's status, Vietnam-era veterna's status or sexual orientation.

If you have special accomodation needs or require this document in alternative format, please contact Teresa Hedblum at (360)-407-6959 (Voice) or (360)-407-6006 (TDD).

# DEPARTMENT OF ECOLOGY CONTINGENCY PLAN REVIEW MANUAL

## TABLE OF CONTENTS

### Chapter 1: Introduction

◆ Purpose of Manual	1
◆ Summary of WAC 173-181	1
◆ Applicability	1
◆ Plan Format	2
◆ Plan Contents	2
◆ Plan Submittal	2
◆ Plan Review	3
◆ Drills and Inspections	3
◆ Plan Use and Updates	3
◆ Noncompliance	3
◆ Contractor Standards	3
◆ Other Contingency Plan Guidance Information	3
◆ Northwest Area Contingency Plan	3
◆ Geographic Response Plans	3
◆ Vessel Planning Standards and Facility Benchmarks	4

### Chapter 2: Procedures

◆ Ecology Plan Reviewers Responsibilities	5
◆ Primary Response Contractor (PRC) Approval	5
◆ Timelines	6
◆ Plan Application Routing	6
◆ Plan Completeness Checklist	7
◆ Public Review	8
◆ Plan Re-submittal	8
◆ Primary Response Contractors	8
◆ Review Checklist	8
◆ Plan Approval	8
◆ Conditional Approval	9
◆ Denial of Approval	9
◆ Revoking Plan Approval	9
◆ Noncompliance	9
◆ Appeals	9
◆ Plan Updates	10

### Chapter 3: Plan Review Criteria

◆ Plan Adequacy	11
◆ Format	13
◆ Signatures and Administrative Material	14
◆ Notification	19
◆ Spill Action Plan	22
◆ Response Team	31
◆ Response Equipment	36
◆ Communications	38
◆ Disposal	39
◆ Risk Analysis/Prevention	40
◆ Environmental Protection/Data	47

◆ Safety and Training	44
◆ Drill/Evaluation	45

#### **Chapter 4: Contractor Standards**

◆ Procedures	46
◆ Approval Criteria	47

#### **Appendices**

- A. WAC 173-181 & WAC 317-10
- B. Planning Standards Benchmark
- C. Facility and Vessel Completeness and Review Checklists
- D. Designing and Conducting Oil Spill Drills
- E. Primary Response Contractor Application Completeness and Review Checklist
- F. List of Approved Primary Response Contractors
- G. Oiled Wildlife Rescue in Washington State
- H. References



## CHAPTER 1 - INTRODUCTION

### PURPOSE OF MANUAL

The 1990 Oil and Hazardous Substance Spills Act, as amended by the 1991 Oil Spill Prevention Act, requires Washington oil handling facilities, cargo and passenger vessel 300 gross tons or more, and all tank vessels to prepare contingency plans for oil spill response. The statute directs the Department of Ecology to develop rules, which set minimum standards for facility and vessel contingency plans and primary response contractors. These rules, Washington Administrative Code (WAC) 173-181 and WAC 317-10, were adopted by Ecology on November 5, 1991.

WAC 173-181 and WAC 317-10 provide detailed requirements for plan format, contents, submittal, and review. Nevertheless, contingency plan review will entail subjective evaluation of plans based on a reviewer's best professional judgement. This manual has been designed to provide consistent guidance for decisions on plan adequacy. For this purpose, it contains plan review procedures, checklists, examples of plan components which meet a given rule requirement, and background information relating to oil spill response. Similar information is provided to guide review of primary response contractor applications.

This manual is not meant to provide a "cookbook" approach to review. Note that WAC 173-181-065(6) and WAC 317-10-065(6) states:

"While the manual will be used as a tool to conduct review of a plan, the department will not be bound by the contents of the manual."

Also, this plan is meant to be a dynamic document and will be updated and modified as new information is acquired.

While primarily serving as a resource for plan reviewers, this manual will be made available to regulated facilities, vessel owners/operators, contractors, and other interested parties as a source of guidance for plan preparation.

### SUMMARY OF WAC 173-181 AND WAC 317-10

These regulations set minimum standards for the preparation, submittal, and review of oil spill contingency plans for offshore and onshore oil handling facilities and covered vessels. It also sets approval criteria for primary response contractors which have made spill response arrangements with a facility or vessel owner/operator. The main elements are summarized as follows:

**Applicability:** WAC 173-181 applies to offshore and onshore facilities located on or near navigable waters of Washington which produce, store, process, transport, or otherwise handle oil, including crude oil and its derivatives, and which transfer oil in bulk to or from a tank vessel or pipeline. In addition, onshore facilities must be located such that they could "reasonably be expected to cause substantial harm to the environment" due to an oil discharge to navigable waters or adjacent shorelines.

It is also appropriate to mention the variety of facilities that are required to submit plans under WAC 173-181. The definition of facility incorporates large refineries and oil production facilities, oil distribution companies, marine terminals which transfer oil to tank vessels, interstate and intrastate pipelines, military facilities, pulp and paper mills, various manufacturing businesses, and many other types of operations. Each of these facility types may range in size from plants with multi-million gallon capacity to small businesses with limited oil handling operations. All regulated facilities must have an adequate plan. Best professional judgement should be applied to evaluate the risk involved in a particular type of a facility's site-specific characteristics. However, plan reviewers should strive for consistency in treatment of facilities of similar type and size unless unique environmental or other variables apply. A special note on unmanned facilities - their plans should be critically examined regarding spill detection and one hour deployment.

**"For those sections of contingency plans which address liquefied petroleum gases, the department may excuse plan holders from meeting requirements in this chapter that are not applicable to spill response for liquefied petroleum gases due to their physical properties." - WAC 173-181-035(4) and WAC 317-10-035(4)**

The most obvious requirement that does not apply to a facility when liquefied petroleum gases (LPG) are involved is the one hour on-site equipment deployment standard. As you review plans for facilities and vessels that handle LPG, do not try to apply standards or guidelines to LPG events that will not directly affect waters of the state.

WAC 317-10 applies to cargo and passenger vessels 300 gross tons and larger and to all tank vessels operating in Washington waters. Tank vessels that do not carry petroleum products in bulk and vessels carrying liquefied petroleum gas have to submit a contingency plan but only for the vessel's capacity of fuel and lubes. Vessels may obtain contingency plan coverage by enrolling in an organization with an approved umbrella contingency plan. Vessels enrolled in an umbrella plan must ensure adequate response contractor resources to meet the vessel planning. Vessels enrolled in an umbrella plan are obligated to execute the umbrella plan throughout the entire spill response.

**Plan Format:** Plans must use a system of organization and combined graphic/narrative format to facilitate both the study of detailed information and quick access to emergency information during response operations. A simplified field document summarizing key action elements of the plan is also required. Plan formatting is discussed in more detail in Chapter 3.

**Plan Contents:** Plans must include information necessary for carrying out oil spill response operations. They must also document details that are addressed in plan review criteria. Plans must contain information on items such as:

- Purpose and scope of the plan;
- Organization of the spill response system;
- Primary response contractors and cleanup cooperatives;
- Procedures for early detection and timely notification;
- Response personnel organization, capability, and training;
- Equipment characteristics, location, and capability;
- Procedures to stop or reduce spillage;
- Communications procedures;
- Methods to contain and remove oil;
- Use of dispersants and in-situ burning;
- Means of protecting wildlife and the environment;
- Interim storage and final disposal;
- Measures taken to prevent the likelihood of a spill;
- Drills;
- Identification of environmental sensitivity and risk factors; and
- Scenarios for small and worst case spills.

**Plan Submittal:** Facilities and vessel owner/operators must submit a plan at least 65 days prior to beginning operations. The facility or vessel owner/operator, or approved primary response contractor may submit plans. A single plan may be submitted to cover multiple facilities or vessels.

**Plan Review:** Ecology has 65 days to review each plan. However, if Ecology does not complete review of a plan within 65 days, the facility or vessels are still in compliance during the review period. The rules also provide for a 30 day review of plans by other agencies and the public within the overall 65 day time frame. To be approved, plans must demonstrate: 1) ability of the plan to provide for proper and prompt cleanup of a variety of spills, including a worst case spill; 2) provisions for immediate notification and mobilization; 3) provisions for adequate protection of the environment; 4) provisions for initial on-site deployment of equipment and personnel within one hour (for facilities) and two hours (for vessels) of spill discovery, given suitable safety conditions; and 5) use of approved primary response contractors. Ecology must also consider other factors, such as local conditions and past spills. The rules provide for three consequences of plan review: approval, conditional approval, or denial.

**Drills and Inspections:** Ecology's drill program includes requirements for annual tabletop, equipment deployment, quarterly internal notification, shipboard notification, and unannounced drills. Ecology will review the plan adequacy during drills, and subsequently may require additional drills or plan amendments. Ecology will publish an annual report on drills of plan holders.

Note: Please see the Ecology Designing and Conducting Oil Spill Drill Guidance Document in Appendix D of this manual for detailed information.

**Plan Use and Updates:** The rules require plans to be kept in a conspicuous and accessible location. The plan holder must adhere to provisions of the plan during a spill response, except under certain conditions, such as when otherwise directed by State On-Scene Coordinator or Federal On-Scene Coordinator. Plan holders must notify Ecology within 24 hours if a significant change arises in their ability to implement the plan (e.g. equipment loss). Ecology may modify plan approval status based on such a change. Plans must undergo a full review by Ecology every 5 years.

Note: Please see the Signatures and Administrative Material Section in Chapter 3.

**Noncompliance:** The rules list civil and administrative penalties that can be imposed in the event of noncompliance. Other statutory noncompliance provisions exist as well, such as criminal penalties.

Note: Please see the Noncompliance Section in Chapter 2.

**Contractor Standards:** Primary response contractors listed in a facility or vessel plan must be approved by Ecology. Approval criteria includes: 1) verification of equipment and personnel readiness, including ability to meet a one hour initial mobilization requirement; 2) compliance with all appropriate personnel safety and training requirements; and 3) determination of an acceptable safety history. The rules outline requirements for submitting applications and describes the 45 day review process.

Note: Please see Chapter 4 for more information on Contractor Standards.

The most effective way to become familiar with the above provisions is to carefully review the regulation. Copies of WAC 173-181 and WAC 317-10 can be found in Appendix A.

## **OTHER CONTINGENCY PLAN GUIDANCE INFORMATION**

**Northwest Area Contingency Plan:** The Northwest Area Contingency Plan (NWACP) supersedes the Washington Statewide Master Oil and Hazardous Substance Spill Contingency Plan. The NWACP contains state and federal policies, guidelines, and checklists that directly relate to oil spill responses in Washington. All facility and vessel contingency plans must be consistent with the NWACP. Facility and vessel contingency plans may reference appropriate sections of the NWACP for some contingency planning requirements.

**Geographic Response Plans:** Geographic Response Plans (GRPs) have been developed for marine waters and most major rivers. The GRPs (an annex of the NWACP) provide detailed information that is useful in responding

environmentally sensitive areas, climatic and geographic information, logistical information (boat launches, potential equipment staging areas, etc.), and area contacts.

**Vessel Planning Standards and Facility Benchmarks:** The Vessel Planning Standards and Facility Benchmarks are guidelines used by plan reviewers to determine if a plan holder has access to enough response equipment to adequately respond to the vessel's or facility's worst case spill volume. These documents provide time frames for which specific quantities of equipment could arrive at a potential spill site.

Note: Please see Appendix B for copies of the benchmarks and planning standards.

## CHAPTER 2 - PROCEDURES

### ECOLOGY PLAN REVIEWERS RESPONSIBILITIES

The primary responsibility for facility review comes out of the regions. Primary responsibility for the review of vessel plans comes out of headquarters. Procedures for plan review include:

- Identification of facilities which are subject to WAC 173-181;
- Identification of vessels which are subject to WAC 317-10;
- Determining completeness of plan (Use Completeness Checklist);
- Sending a Complete/Not Complete Notification to plan holder ;
- Providing a copy of the plan to headquarters for public review;
- Making a copy of the plan available for public review in the regional office;
- Performing an adequacy evaluation of complete plans;
- Collecting and verifying facility/vessel information through appropriate means e.g. phone calls, site visits, and consultations;
- As appropriate, coordinating Ecology's review of the contingency plan with the Ecology NRDA coordinator, the Industrial Section, federal and other state agencies involved with oil spill contingency/response plan issues;
- Once review is complete, notify plan holder of approval within five working days;
- Ensure contingency plan implementation through inspections and drills;
- Work with plan holders in development and implementation of drills and exercises; and
- In the event of plan noncompliance, plan review staff are responsible for initiating enforcement actions.

Note: it is the responsibility for the plan reviewer to be familiar with the facility prior to making a decision on plan approval. A site visit during plan review is crucial if the reviewer is not already familiar with the facility through past visits.

**Primary Response Contractor (PRC) Approval:** Response Contractors interested in becoming an approved PRC must request a PRC application from the Ecology Headquarters Spill Preparedness/Response secretary.

Regional staff will have responsibility for approval of primary response contractors per WAC 173-181-090-096 and WAC 317-10. Activities associated with PRC approval include:

- Application completeness check ;
- Review of completed PRC application;
- Inspections of PRC equipment and personnel training records; and
- Approval of the Primary Response Contractor application.

Note: Applications for PRCs listed in vessel plans will be reviewed by Ecology Preparedness Section staff located at Ecology Headquarters. Applications for PRCs listed in facility plans will be reviewed in the regions. In some cases, a PRC application may be reviewed and approved by both regional and headquarters' staff.

If a PRC is listed by regulated facilities located in more than one region, Ecology will decide which regional office will be given the responsibility for the PRC review.

Northwest Regional Office (425) 649-7063  
Eastern/Central Regional Office (509) 456-4447

Southwest Regional Office (360) 407-6370  
Headquarters (Vessels) (360) 407-6959

In order to retain PRC status, WAC 173-181-096(3) and WAC 317-10-096(4) require a PRC to submit a new application every two years. Plan review staff should contact the PRC at least 60 days prior to the application re-submittal date. This will help to ensure that PRCs remain in regulatory compliance during the re-application process.

**Timelines:** WAC 173-181-065(1) and WAC 317-10-065(1) state that "upon receipt of a plan, the department shall evaluate promptly whether the plan is incomplete." While no deadline is stated, the intent is for plan review staff to briefly review the plan and determine if it is complete. This should be done within several days of the plan's submittal. This section of the rule also states that Ecology "shall endeavor to review each plan in 65 calendar days." While such language does not bind Ecology to the 65 day timeline because of the potential for unforeseen delays, a plan reviewer will be expected to strive to complete the entire review process within the 65 day time period. After the review is completed, the facility owner or operator should be notified of the results within five working days.

**Plan Application Routing:** Facilities and Vessels must submit three copies of a plan to the appropriate Ecology office. See Table 2-1

All vessel plans should be submitted to Ecology Headquarters. Facility plans are to be submitted to the regional office with responsibility for the county in which the facility is located.

**Figure 2-1 Location of Ecology offices and associated area of responsibility**

Washington State Department of Ecology Spill Preparedness and Response Section Ecology Headquarters Building 300 Desmond Drive, P.O. Box 47600 Olympia, WA 98504-7600	All Vessel plans regardless of location
Washington State Department of Ecology Spill Preparedness and Response Section Eastern Regional Office 4601 N. Monroe Spokane, WA 99205-1295	Adams, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima counties
Washington State Department of Ecology Spill Preparedness and Response Section Northwest Regional Office 3190 160 <sup>th</sup> SE Bellevue, WA 98008-5452	Island, King, Kitsap, San Juan, Skagit, Snohomish, and Whatcom counties
Washington State Department of Ecology Spill Preparedness and Response Section Southwest Regional Office 300 Desmond Dr. P.O. Box 47775 Olympia, WA 98504-7775	Clallum, Clark, Cowlitz, Grays Harbor, Jefferson, Lewis, Mason, Pacific, Pierce, Skamania, and Thurston counties

If Ecology receives less than three plans, plan review staff will notify the submitter of the deficiency. Once the required number of plans has been delivered to Ecology, and the plan has been verified for completeness, the plan reviewer will route a plan to Ecology Headquarters. The other two copies will be kept in the region. The plan reviewer will keep one copy and the other copy will be sent to the region's central files and used for public review. It is at this point that the public comment period for the submitted or resubmitted plan will begin.

Once the regional plan reviewer has completed the adequacy review and approval checklist for a plan, a copy of the review will be routed internally and to the appropriate federal and state agencies for comment. Those who receive the evaluation then have 10 days in which to forward comments back to the plan reviewer before the review is finalized and sent to the plan holder.

Note: It is Ecology's intent that encouraging this type of coordination will allow plan holders to develop a single plan which will meet all federal and state oil spill contingency plan requirements. Ecology believes that a single plan will allow regulated facilities and vessels to maximize their response efforts while diminishing the need to develop multiple plans to cover federal and state Oil Spill Response requirements.

After the plan reviewer finalizes the plan review, a certificate granting a conditional or final approval should be sent to the appropriate regional OSC, Preparedness, or Response Supervisor for signature. Once signed, the certificate and adequacy checklist should be sent to the plan holder.

**Plan Completeness Checklist:** A checklist has been developed to facilitate evaluation of plan completeness (see Appendix C). The plan completeness check is meant to take minimal time, and therefore should not present a problem to the rule provision for a "prompt" review and determination. Basically, plans (including table of contents) should be skimmed to ensure that all required sections are addressed, using the checklist as a reference tool. Plan review staff should not attempt to substantially review plan contents for adequacy at this time. The completeness check is simply a mechanism to catch and reject submitted plans that lack a required component prior to the plan's injection into the 65 day review process, where adequacy of plan contents will be evaluated. If the plan

is found to be incomplete, the plan reviewer should notify the plan submitter and supply them with a copy of the completeness checklist which lists the plan's deficiencies.

Once a plan is found to be complete, it is critical that the plan reviewer immediately notify headquarters so the public review period can begin. In addition, it is at this time that the adequacy review of the plan should begin.

**Public Review:** WAC 173-181-065(2) and WAC 317-10-065(2) state that Ecology will regularly notify all interested parties of plans that are available for review. The summary will provide the name, submittal date, and public comment deadline for each plan that is currently under review. This task will be assigned to someone at headquarters.

Headquarters will set the public comment period for a given plan. The comment period will begin shortly after the plan completeness has been completed (e.g. when plan review begins). A public review copy of the plan will be kept on file at the regional office for review/photocopy purposes. The headquarters copy will also be available for public review.

Headquarters staff will maintain a central public comment file for each plan. Comments received during the 30 day comment period will be forwarded to the regional plan reviewer. Plan reviewers should consider but are not bound to incorporating submitted comments.

**Plan Re-submittal:** Washington contingency plan regulations state that plans will be reviewed by Ecology every five years. Plans shall be submitted for re-approval unless the plan holder submits a letter requesting that Ecology review the plan already in Ecology's possession. The plan holder shall submit a revised plan or letter requesting re-approval of the current plan at least 65 calendar days in advance of the plan expiration date.

- Plan review staff should contact facility and vessel plan holders at least 65 days prior to their plan re-submittal date. This will help to ensure that plan holders remain in regulatory compliance during the re-submittal process.
- With respect to the public review process, plan reviewers will treat all re-submittals as new plans.
- Re-submitted plans must meet all regulatory requirements and published guidelines. This includes information found in Ecology's Designing and Conducting Oil Spill Drills Guidance Document, Manual for Review of Oil Spill Contingency Plans, Oil Containment/Recovery Benchmarks, and the Northwest Area Contingency Plan, as well as WAC 173-181 and WAC 317-10.

**Primary Response Contractors:** Chapter 4 of this document describes the process for PRC approval.

Applications for PRCs listed in vessel plans will be reviewed at Ecology Headquarters. Applications for PRCs listed in facility plans will be reviewed in the regions. In some cases, a PRC application may be reviewed and jointly approved by regional and headquarters staff. A list of approved contractors will be developed and periodically updated by headquarters staff. This list will be provided to plan holders and will also be used by plan reviewers to verify that all primary contractors listed in a plan have been approved. Plan reviewers may have to determine whether a contractor fits the primary response contractor definition.

Note: Guidance for this decision is provided in Chapter 4.

**Review Checklist:** A plan review checklist has been developed to assist reviewers in determining plan adequacy criteria, to maximize consistency among plan reviewers, and to document every plan adequacy decision. (This checklist is found in Appendix C). The checklist should be used to note specific comments that relate to the plan approval. The signed, completed checklist will be routed to headquarters as described above under the plan routing procedure. The checklist is designed to guide the plan reviewer through each review step.

Note: Please see Chapter 3 for more detailed guidance and reference information.

**Plan Approval:** Once a plan is approved regional staff will endeavor to notify the plan holder within five working days, as specified in WAC 173-181-065(7) and WAC 317-10-065(7). Notification will be made by



correspondence. A certificate attached to the letter will state the approval date, expiration date, and explain plan update requirements. Certificate will be used by plan holders as documentation of compliance with the rule.

**Conditional Approval:** A plan may be conditionally approved if the plan reviewer finds that the plan is inadequate, but not to a degree that the plan holder is completely unprepared for responding to a spill. The plan reviewer will send out the adequacy checklist to the plan holder with comments indicating the inadequacies found in the plan. The plan reviewer is also responsible for listing the changes that must be made to the plan and the timeline by which the changes in the plan must be met.

Once a plan receives a conditional approval, plan review staff will notify the plan holder within five working days, as specified in WAC 173-181-065(7) and WAC 317-10-065(7). Notification will be made by correspondence. A conditional approval certificate and plan adequacy checklist will also be attached to the letter.

The checklist will clearly identify the areas of the plan that need further work before a final approval will be granted. The certificate will state the date the conditional approval was granted and expiration date (e.g. the date by which an adequate plan must be resubmitted).

**Denial of Approval:** Denial of approval is a highly significant decision and should be made in consultation with the appropriate supervisor(s) within the Spills Program. In most circumstances, a conditional approval will be the most appropriate action for an inadequate plan. However, if a plan reviewer finds that a plan is grossly inadequate and that continuing operations of the facility or vessel would pose an unacceptable risk to the environment, the plan reviewer should deny approval of the plan. The plan reviewer will be responsible for listing reasons behind denial.

Note: Denial of approval must be connected to noncompliance with a provision of WAC 173-181 or WAC 317-10. In the rule, a great deal of discretion is given to the plan reviewer in terms of best professional judgement. Please see Adequacy Section in Chapters 3.

Once a submitted plan has been denied approval, plan review staff will endeavor to notify the plan holder within five working days as specified in WAC 173-181-065(7) and WAC 317-10-065(7). Notification will be made by correspondence. This letter will state why approval was denied and explain the process for appeals and re-submittal.

**Revoking Plan Approval:** If Ecology determines that a facility or vessel with an approved plan presents a substantial environmental risk, plan approval may be revoked. For example, this determination may be made due to a chronic lack of the appropriate response equipment or extensive failure of the plan during an actual spill incident.

Note: See Enforcement flow chart in Appendix F.

**Noncompliance:** If approval is denied and the statutory deadline for plan submittal has expired, the facility or vessels can not legally operate. If a facility or vessel operates out of compliance, the plan reviewer will pursue enforcement action. The plan reviewer in consultation with program management and enforcement staff can consider civil (and if appropriate, criminal) penalties.

WAC 173-181-085 and WAC 317-10 provides for a civil penalty maximum of \$100,000 per day for violation of the rule provisions, with each day that a person, facility, or vessel is in violation, is considered a separate violation. If a person, facility, or vessel is convicted of "knowingly and intentionally" violating the rule provisions, the first conviction is considered a gross misdemeanor. Second or subsequent criminal convictions are a class C felony.

**Appeals:** Plan holders may object to an approval decision, particularly if plan approval is denied or connected to significant conditions. It is advantageous for Ecology and the plan holder to work together to resolve the conflict if possible. However, plan holders may decide to appeal plan approval decisions formally to the Pollution Control Hearings Board. PCHB procedures and deadlines can be found in WAC 371-08. RCW 43.21B.110, which defines

the jurisdiction of the PCHB, does not clearly address decisions on contingency plan approval. Therefore, it is possible that a plan holder would choose to appeal such a decision to Superior Court.

**Plan Updates:** Once approved, a plan is valid for five years. However, plan holders are required to notify Ecology (regional contact identified in the approval letter) in writing within 24 hours of any significant changes that could affect implementation of the plan. This provision was intended to address the problem of equipment and personnel availability, particularly pooled resources (e.g. contractors), which are relied upon by multiple plan holders. If a significant percentage of pooled resources are assigned to a spill from one plan holder, the other plan holders may become unprotected. The notification requirement provides Ecology with that information and ideally presents an incentive for plan holders to have back-up equipment and personnel for such situations.

Ecology has adopted the federal Oil Spill Removal Organization (OSRO) definition of significant change. The notification level for a federal OSRO is 10 percent. While this decision must be made on a case-by-case basis, the federal level is a good rule of thumb. The following examples would apply:

- A substantial decrease in spill response equipment;  
e.g., one of three skimmers available to the plan holder is down for repairs  
e.g., 10 percent of the boom available for one hour initial on-site deployment is sent to a site several hundred miles away
- A substantial decrease in personnel;  
e.g., 10 percent of a primary response contractor's staff are laid-off.  
A substantial increase in the potential worst case spill volume;  
e.g., addition of two large oil storage tanks  
e.g., 10 percent increase in facility production capacity
- A change of operator of the facility
- A change in the types of product handled at the facility
- A permanent reduction in the volume of oil stored at a facility (with a corresponding reduction in spill equipment)

The following examples would not be considered substantial changes:

- Fluctuations in disposable spill response equipment, such as sorbant pads;
- Phone number or name changes on a call out list;
- Minor changes in spill response procedures (e.g. disposal); or
- Minor personnel variations (e.g., one or two response employees taking sick leave).

Be sure to consider how the change affects the plan holder's ability to respond to a spill situation.

Once notification of a significant change is made, the plan reviewer must determine if actions must be taken regarding the approval status of any plan that is affected by the change. This may require a review of the adequacy of each affected plan in light of the changed conditions. Note that a significant change in contractor resources must be evaluated for every plan that relies on that contractor. This has the potential to become an administrative burden and under such conditions, the region will have to set priorities. Facilities that rely most heavily on the unavailable pooled resource should be evaluated first for their ability to maintain preparedness.

Finally, determine whether the change should be addressed by an amendment to the plan holder's contingency plan. If so, the plan holder is required to submit a copy of plan amendments to Ecology within 30 days from the amendment date. Note that this requirement applies to any plan amendment the plan holder may make. This can be checked during inspections by comparing Ecology's plan with the plan on-site.

Note: Please see Appendix B.

## CHAPTER 3 - PLAN REVIEW CRITERIA

The intent of the rules and plan review is to generate a plan that when implemented, is capable of protecting the natural resources of Washington State. WAC 173-181 and WAC 317-10 provide fundamental guidance information on contingency plan standards. The plan review checklist (see Appendix C) will also be used to assist reviewers in evaluating each aspect of a plan. However, there are many other tasks involved in plan review that may cause the plan reviewer to seek more detailed guidance and insight. This chapter of the manual is meant to provide such guidance and information and to support the goal of consistency in contingency plan review.

This chapter is organized to coordinate with the plan review checklist. Major topics have been broken out of the checklist and from the chapter headings. This format will not necessarily follow the order of the WAC, however, rule citations have been listed for each particular discussion point.

**Other general requirements of WAC 173-181 and WAC 317-10 to consider throughout your review include:**

**"Plans shall be designed to be capable to the maximum extent practicable of promptly and properly removing oil and minimizing environmental damage from a variety of spill sizes, including small chronic spills, and worst case spills. At a minimum, plans shall meet the criteria specified in sections 045 and 050; criteria are presented in suggested but not requisite order." WAC 173-181-040(4) and WAC 317-10-040(4)**

Is the plan designed to insure prompt and proper removal of oil and to minimize environmental damages? Does the plan identify enough equipment and personnel to promptly and properly remove oil and minimize environmental damage? Is there enough containment boom and recovery equipment available to the plan holder to protect the environment from potential spills? Are there enough field response and management personnel to handle a spill situation? Have they been properly trained to use the plan and to control a spill situation? Does the plan accurately portray the plan holder's capabilities, and do these capabilities meet the plan requirements?

### PLAN ADEQUACY

#### A. Adequacy Criteria:

**"A plan shall be approved if, in addition to meeting criteria in WAC 173-181-045 and WAC 173-181-050, it demonstrates that when implemented, it can:**

- (a) To the maximum extent practicable, provide for prompt and proper response to and cleanup of a variety of spills, including small chronic spills, and worst case spills;**
- (b) To the maximum extent practicable, provide for prompt and proper protection of the environment from oil spills;**
- (c) Provide for immediate notification and mobilization of resources upon discovery of a spill;**
- (d) Provide for initial deployment of response equipment and personnel at the site of the spill within 1 hour of the plan holder's awareness that a spill has occurred given suitable safety conditions" - WAC 173-181-065(3)**

This section allows extensive application of the reviewer's professional judgement and offers flexibility in judging factors effecting plan adequacy or inadequacy. When reviewing the plan, keep in mind the need for the plan holder to be capable of protecting the environment. During the first hours of a spill, second only to safety concerns, the protection of the environment will be the most important objective.

Generally, the plan should be designed to: 1) be usable and offer plan holder specific guidance; 2) ensure rapid and timely notifications; 3) ensure prompt and proper staff mobilization; 4) ensure an adequate spill management system; and 5) ensure adequate operational resources.

- **Usability:** (see also detailed discussion in subsequent sections)

The plan should be designed so that the plan holder can easily and rapidly access critical information. Plans should be as specific as possible regarding potential response sequences and focus on the most likely

environmental risks. If there is a need for generic information it may be referenced. Similarly, Ecology does not require the incorporation of procedures for non-oil spill related events.

- **Notification Procedures:** (see also detailed discussion in subsequent sections)  
Notification procedures should be such that immediate notifications will occur upon discovery of a spill. Notification procedures will be specifically evaluated during Ecology drills.
- **Response Team Mobilization:** (see also detailed discussion in subsequent sections)  
Prompt availability of trained personnel should be ensured. For each response team member a list of spill management positions for which each individual is qualified should be detailed. Sufficient personnel should be available to staff critical spill management positions. Sufficient personnel should be available to address Ecology's one and two hour requirements and subsequent planning standards. Mobilization of the response team will be specifically evaluated during drills.
- **Response Management System** (see also detailed discussion in subsequent sections)

Initial Response Management: Initial response sequences in the plan should be well organized and focus on usability. The reliance on the plan diminishes over time as the sophistication of Incident Action Plan's (IAPs) evolve. Therefore, the plan should be laid out so that it can clearly serve as the OSC's standing orders until a sufficiently developed IAP is in place. Of particular importance are notification procedures, initial safety procedures, initial task assignment checklists, vessel and facility diagrams, reference to GRPs, facility specific GRPs (if applicable), resource needs given spill size, and a clear mechanism to document, track, and explain initial response efforts, e.g. an ICS Form 201. Adequacy of initial response management will be evaluated during drills.

Response Management: The plan's response management must be compatible with the National Interagency Incident Management System (NIIMS) as prescribed in the NWACP. Plan's not explicitly adopting NWACP NIIMS will be placed under higher scrutiny during drill evaluations. Ensure roles and functions are compatible with the NWACP.

- **Response Operations:** When reviewing sections on equipment and personnel, keep in mind the need to protect the environment. A prompt and proper response, particularly actions taken during the first few hours of response, is critical to minimizing the overall potential spill impacts on the environment. The one and two hour initial deployment standard provides means for measurement for prompt response to oil spills. As general guidance reviewers should ensure that response plans address Ecology's response planning standards (Benchmarks). More specifically, the plan holder should be capable of quickly surrounding any potential sources and thus protecting the environment. Additionally, the facility should be capable of deploying personnel and equipment rapidly to prevent the advancement of the oil. (See sections on personnel and equipment.)

At the end of the review, make certain to address this basic question: Is this plan holder reasonably prepared to handle all phases of cleanup of a worst case spill? Will responders know what to do and who to notify? Will equipment and personnel resources be available? Has the plan holder recognized the value of the environmental resources at risk and have assigned protecting these resources proper priority? The reviewer should check for consistency with the NWACP, GRPs, other plans, and with similar plans reviewed by other reviewers.

## **FORMAT**

**"Plans shall be prepared using a combined narrative and graphic format which facilitates both the study of detailed spill response information and quick access to general information given emergency information needs and time constraints." - WAC 173-181-045(1) and WAC 317-10-045(1)**

Does the plan read easily and can the user locate all the information required for a rapid spill response? Plans should make use of charts and figures when possible to readily convey information on a certain process or procedure during conditions when time does not allow reading pages of text.

**"Federal plans required under 33 CFR 154, 40 CFR 109, 40 CFR 110, or the federal Oil Pollution Act of 1990 may be submitted to satisfy plan requirements under this chapter if the department deems that such federal requirements possess approval criteria which equal or exceed those of the department." - WAC 173-181-035(2) and 317-10-035(2)**

An ICP is acceptable as long as it also complies with WAC 173-181 or 317-10 requirements and is useable as demonstrated during a drill or spill. Since an ICP can be very large it is imperative that it contain regulatory cross-comparison matrices. These matrices (or crosswalks) list the location in the ICP where specific topics or regulatory requirements can be found.

**"The department may approve a plan without a full review as per provisions of this section if that plan has been approved by a federal agency or other state which the department has deemed to possess approval criteria which equal or exceed those of the department." - WAC 173-181-065(5) and 317-10-065(5)**

Other facility and vessel plans will be accepted as long as these plans have been modified or appended to meet the requirements of the rule provisions.

**"Plans shall be divided into a system of chapters and appendices. Chapters and sections shall be numbered. Chapters should be reserved primarily for information on emergency response and cleanup operations, such as notification procedures or description of the spill response organization structure. Appendices should be used primarily for supplemental background and documentation information, such as response scenarios or description of drills and exercises." - WAC 173-181-045(2) and WAC 317-10-045(2)**

WAC 173-181 and WAC 317-10 require a large amount of documentation, which is somewhat peripheral to emergency response, but is nevertheless critical information for evaluation of plan adequacy. This documentation can potentially clutter the emergency action elements of the plan, making it difficult to use during a spill. However, the rule provides flexibility for organization of chapters and appendices to prevent such problems. Make sure the plan holder has taken advantage of that flexibility to create a plan that is useable for both emergency and general reference functions.

**"A system of index tabs shall be used to provide easy reference to particular chapters or appendices." - WAC 173-181-045(3) and WAC 317-10-045(3)**

Tabs are important for ease of locating information during emergency situations. They should exist for all major headings.

**"Plans shall be formatted to allow replacement of chapter or appendix pages with revisions without requiring replacement of the entire plan." - WAC 173-181-045(4) and WAC 317-10-045(4)**

Ideally, this translates to a three hole-punched plan in a binder or some equivalent loosely bound approach. If the format of the plan is such that updates would be difficult to make, make sure that the plan holder will submit updated plans or change the format to accommodate updates.

**"Computerized plans may be submitted to the department in addition to a hard copy. Computerized plans, accompanied by a hard copy, may be used to meet the requirements of WAC 173-181-075 of WAC 317-10-075" - WAC 173-181-045(6) and WAC 317-10-045(6)**

Essentially, this is just a green light for the plan holder to use computerized plans. However, they are still required to possess a hard copy in order to protect against computer or power failures.

## **SIGNATURES AND ADMINISTRATIVE MATERIAL**

### **A. Submittal Procedures:**

**" Facility and vessel plans may be submitted by:**

- (a) The facility or vessel owner or operator; or**
- (b) A primary response contractor approved by the department pursuant to WAC 173-181-090 and WAC 317-10-090, in conformance with requirements under WAC 173-181-050(1) and WAC 317-10-050(1).**

Double check that inappropriate submittals have not slipped through the crack. Remember that even though a plan may be submitted by the primary contractor, all comments on the plan need to be directed to the facility or vessel owner/operator.

**"A single plan may be submitted for more than one facility or vessel, provided that the plan contents meet the requirements in this chapter for each facility or vessel listed." - WAC 173-181-060 or WAC 310-10-060**

If a plan is submitted for multiple facilities or vessels, it may provide common response information for each facility or vessel. However, it still must have all facility or vessel specific information required by the rule for each facility or vessel, such as identification of nearby environmentally sensitive areas or identification of vessel details.

### **B. Submittal Agreement:**

**"Each plan shall contain a submittal agreement which:**

- (a) Includes the name, address, and phone number of submitting party;" - WAC 173-181-050(1)(a) and WAC 317-10-050(1)(a)**

The submitting party should be the facility or vessel owner/operator, or approved primary response contractor. Note that the plan preparer (e.g. author) could be different than the submitting party (e.g. private consulting firm).

**"Verifies acceptance of the plan, including any incorporated contingency plans, by the owner or operator of the facility or vessel by either signature of the owner or operator or signature by a person with authority to bind the corporation or company which owns such facility or vessel;" - WAC 173-181-050(1)(b) and WAC 317-10-050(1)(b)**

It is important to understand who has the authority to bind the corporation. It is unlikely that the plan preparer will be the individual with authority to bind the corporation. Thus for the plan to be complete the owner, chief executive officer, president of the board, or operator (or perhaps even an attorney for the company) will need to sign the plan.

**"Commits execution of the plan, including any incorporated contingency plans, by the owner or operator of the facility or vessel, and verifies authority for the plan holder to make appropriate expenditures in order to execute plan provisions; and**

### **Facilities**

- (d) Includes the name, location, and address of the facility, type of facility, starting date of operations, types of oil(s) handled, and oil volume capacity." - WAC 173-181-050(1)(c)(d)**

Section (d) may be verified with a phone call to the facility operator. Be sure that the location, quantity, and types of oil are consistent with those listed in the plan. Feel free to ask the tough questions regarding current facility information.

#### Vessels

(d) Except for plans filed by the Washington State Maritime Commission or a maritime association defined under Oregon law, include the vessel's name, the name, location, and address of the owner or operator, official identification code or call sign, country of registry, common ports of call in Washington, types of oils handled, oil volume capacity, expected period of operation in state waters, and passenger capacity if a passenger vessel.

Section (d) may be verified by using marine publications such as Lloyds Register of Ships, Lloyds Sea Data, and Fishing Vessel of the United States.

#### C. Log Sheet:

"Each plan shall include a log sheet to record amendments to the plan. The log sheet shall be placed at the front of the plan. The log sheet shall provide for a record of the section amended, the date that the old section was replaced with the amended section, verification that the department was notified of the amendment pursuant to WAC 173-181-080(3) or WAC 317-10-080(3), and the initials of the individual making the change. A description of the amendment and its purpose shall also be included in the log sheet, or filed in the form of an amendment letter immediately after the log sheet." - WAC 173-181-050(2) and WAC 317-10-050(2)

This is a basic section and review should be easy. A log sheet should be adequate to record the information required by the WAC. An amendment letter should include description of amendment, date of amendment, changes to the plan based on the amendment, signature of the individual making the change, and any other information necessary.

#### D. Table of Contents

"Each plan shall include a detailed table of contents based on chapter, section, and appendix numbers and titles, as well as tables and figures." - WAC 173-181-050(3) and WAC 317-10-050(3)

There is no need to spend much time evaluating the table of contents for adequacy beyond ensuring that it is complete, accurate, and easy to use.

#### E. Purpose and Scope

"Each plan shall describe the purpose and scope of that plan, including: the geographic area covered by the plan;" - WAC 173-181-050(4) and WAC 317-10-050(3)

The plan should clearly illustrate the geographic area covered. The geographic area should not just include the facility itself, but also include that area that is at risk from a worst case spill from the facility. Vessel plans must describe all areas that the vessels will operate while in Washington waters. The GRPs and sensitive area maps may be helpful for familiarization of the area, as well the natural resources at risk by the facility or vessels.

"The facility or vessel operations covered by the plan;" WAC 173-181-050(4)(b) and WAC 317-10-050(4)(b)

The facility or vessel operations should be described in detail. We are looking for operations that could potentially discharge oil into the state waters, such as transfers of oil between a vessel and the facility. For example, what is the largest size vessel that a facility can accommodate and how many vessels can be accommodated at one time? If the facility transfers oil to or from a pipeline, what is the capacity of the pipeline, what are the sensitive areas

surrounding the pipeline, and is more than one pipeline involved? Vessel plans should describe oil transfer procedures, lightering, and other operations that could result in an oil spill.

Contingency plans for facilities with docks or other vessel terminals should cover all operations and equipment at the terminal up to the physical connection with the vessel. The plan should cover response to spills that occur during transfers between the facility and vessel. However, it is essential that the facility plan provisions for such spills do not conflict with the provisions of the applicable vessel contingency plans. Either the facility plan or vessel plan should be designated as the lead document for vessel-facility transfer spills. In general (and particularly in cases where the responsibility for the spill will be unclear), the facility plan should play this lead role based on the greater familiarity of facility staff with the local environment. Note that while berthed at the facility terminal, the vessel, not the facility, has primary responsibility to plan for a response to spills from the vessel if the spill is not related to transfer operations with the facility.

**"The size of the worst case spill from the facility or covered vessel." WAC 173-181-050(4)(c) and WAC 317-10-50(4)(c)**

Be sure that the facility or vessel plan defines a worst case spill that is consistent with the rule.

Is the worst case spill volume listed at least equal to the largest above ground storage tank on the facility? Remember that the largest tank measure involves volume, not a scenario. In other words, the facility is required to plan for a worst case spill that involves a volume, which at least equals the volume of the largest above ground tank. The rule does not intend that the facility's worst case spill, however, involve a rupture or failure of the largest tank. This is a point many facility operators have confused, claiming that there is no way they could discharge the contents of their largest tank into the water if that tank collapsed. Again, the rule only states that however the spill occurs, under worst case conditions it at least involves a volume equal to the largest above ground tank.

Facility plans must identify a spill volume at least equal to the largest above ground storage tank at the facility. Ecology may decide based on the facility characteristics, that a larger volume is required for the computation of worst case spill. For more information, see the discussion on risk analysis and prevention section.

Vessel plans must identify a spill volume equal to the entire petroleum cargo capacity (for tank vessels), the capacity of bunkers or fuel and lube oil.

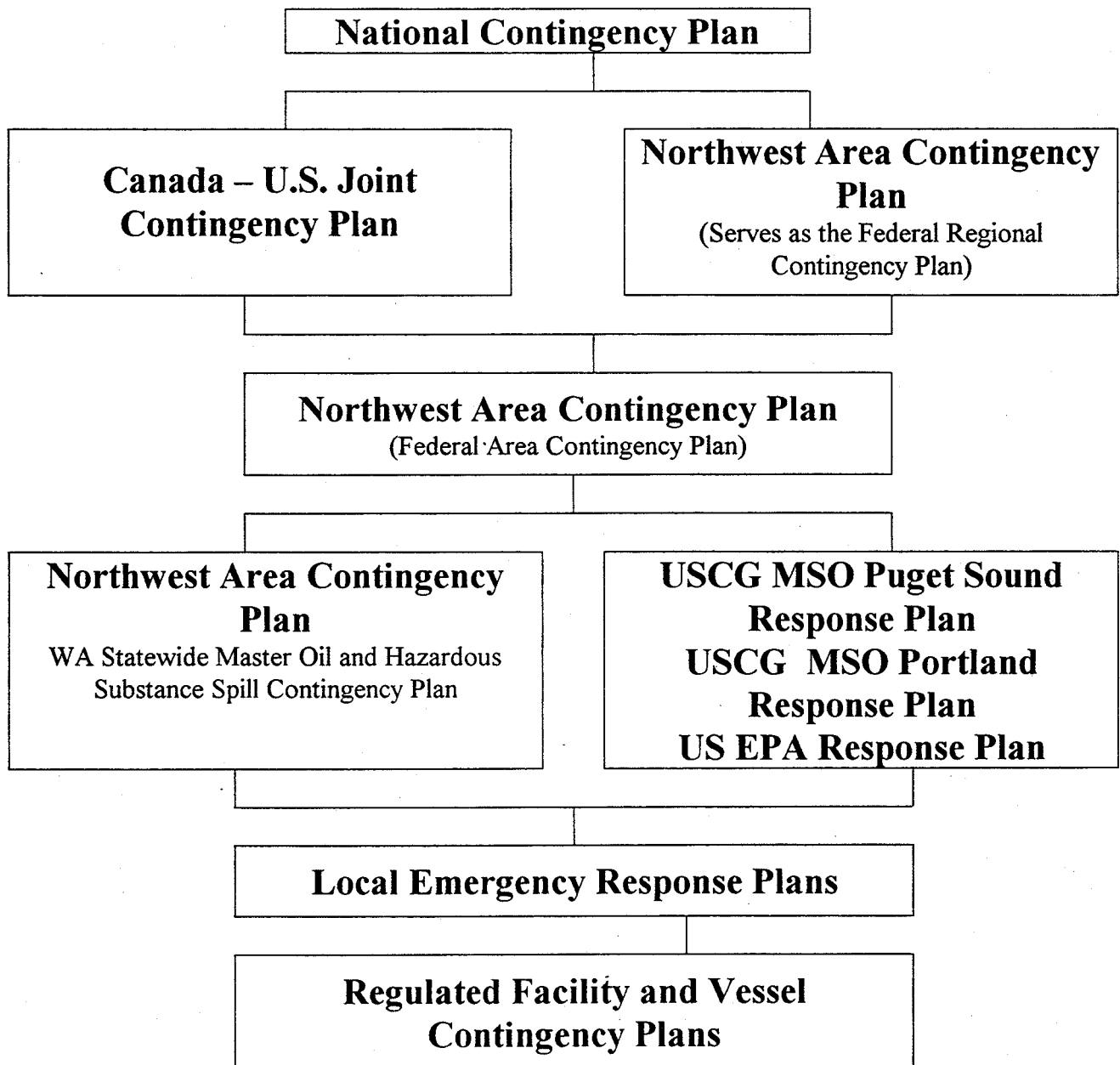
#### **F. Relationship to Other Plans:**

**"Each plan shall briefly describe its relation to all applicable local, state, regional, and federal government response plans." - WAC 173-181-050(9) and WAC 317-10-050(9)**

The plan should mention local haz-mat plans required under SARA Title III (facilities), Northwest Area Contingency Plan, Geographic Response Plans, and the National Contingency Plan. This requirement may be satisfied by a flow chart that illustrates the relationship of federal, state, and local oil spill contingency plans to the plan holder's plan (See Figure 3-1).



Figure 3-1 Relationship of Federal, State, and Local Oil Spill Contingency Plans



G. Updates:

**"Each plan shall describe the procedures and time periods corresponding to updates of the plan and distribution of the plan and updates to affected and interested parties." WAC 173-181-050(5) and WAC 317-10-050(5)**

Check that updated procedures match requirements in WAC 173-181-080 or WAC 317-10-080. In particular, the plan holder should understand and present a strategy for updating Ecology on equipment or personnel non-readiness.

H. Plan Maintenance and Use:

**"Each plan shall present a strategy to ensure use of the plan for spill response and cleanup operations pursuant to requirements in WAC 173-181-075 or WAC 317-10-075." - WAC 173-181-050(6) and WAC 317-10-050(6)**

This means that personnel should understand the plan, know how and where to find it and access information, and know how to put it into action. If the plan is not useable and available to those that would need to access it, then the requirements of this section have not been met. Determine the extent that this plan has been distributed and explained to the facility workers or vessel crews. This can be accomplished by talking with the facility or vessel owner/operator, and/or operation and response personnel to determine whether or not they have knowledge of the location and the contents of the plan.

**Please see the Table 3-1 Training Matrix.**

Plan use will be evaluated during drills. The plan should describe the type of training used to ensure personnel have been instructed in the use of this plan.

In general, the strategy to ensure that the plan will be used is satisfied if the plan describes procedures which include the maintenance and use requirements of WAC 173-181-075(1) or WAC 317-10-075(1), which states:

**"At least one copy of the plan shall be kept in a central location accessible at any hour by the spill response manager. Each facility or vessel covered by the plan shall possess a copy of the plan and keep it in a conspicuous and accessible location." WAC 173-181-075(1) and WAC 317-10-075(1)**

Is the plan truly centrally located and accessible at any time of the day or night? This is vital, as there is a tendency to lose track of the plan at the operations level. During drills and inspections use and awareness of the plan by the spill response manager will be critical.

I. Field Document:

**"A simplified field document suitable for on-site use in the event of a spill and summarizing key notification and action elements of the plan shall also be prepared and submitted as part of the plan." WAC 173-181-045(5) and WAC 317-10-045(5)**

**"A field document prepared under section 045 subsection 5 of this chapter shall be available to all appropriate personnel." WAC 173-181-075(1) and WAC 317-10-075(1)**

This field document will probably consist of emergency phone numbers and immediate actions to take in case of a spill. This document should be provided to all operations personnel that could encounter a spill. There are no requirements on size or complexity, potentially, it can be a wallet size card with key contact numbers and initial response steps. Check the organization chart included in the Response Team Section to determine who should have

the field document. All covered vessels are required to have field documents onboard posted in a conspicuous location. Ecology vessel inspectors do verify this requirement is being met through onboard vessel inspections.

J. Glossary:

**"Each plan shall include a glossary of technical terms and abbreviations used in the plan." - WAC 173-181-050(33) and WAC 317-10-050(33)**

This is just as important for facility and vessel personnel as it is for Ecology personnel. Make sure that the glossary is useable and that the facility or vessel personnel are aware of its existence.

**NOTIFICATION**

A. Notification Procedures:

**"Each plan shall describe procedures which will be taken to immediately notify appropriate parties that a spill has occurred." - WAC 173-181-050(11) and 317-10-050(11)**

This section may well be the most important section in the plan because if notification fails then the whole plan may fail. Immediate notification of the proper federal, state, and local officials should include:

- Reporter's name and contact number;
- Responsible party name;
- Time of spill;
- Location of the spill;
- Type and quantity of spill;
- Actions that have been taken, including whether the spill has been stopped or contained;
- The cause;
- The potential environmental damages;
- Who has already been notified of the spill; and
- Weather, tides, and currents.

Consider the NWACP's Initial Assessment/Information Check-off List or the NIIMS Initial Notification Sheet form from NOAA's web site as an example of the kinds of forms that the plan holder might develop to document a spill.

B. Call Out List:

**"The plan holder shall maintain a notification call out list which shall be available if requested by the department for inspection, and which:**

**(i) Provides a contact at any time of the day for all spill response personnel identified under subsection (7) of this section, including the contact's name, position title, phone number or other means of contact for any time of the day, and an alternate contact in the event the individual is unavailable" - WAC 173-181-050(11) and 317-10-050(11)**

To resolve privacy concerns, the rule does not require plan holders to submit their call out list with the plan that is made available for public review. However, ensuring that the plan holder has a good call out list is critical. Therefore, if the call out list is not included in the plan, either request that the plan holder send a copy or review the list during a site visit. Check that the list supplies all the information described by the above rule citation. Pager numbers and home numbers should be included for all key personnel. Verify that phone numbers are correct (particularly any USCG, EDM, or Ecology reporting numbers). In addition, it may be a good idea to randomly call a few numbers to verify the accuracy of the list.

**"(ii) List the name and phone number of all government agencies which must be notified in the event of an oil spill pursuant to requirements under RCW 90.48.360 as recodified by section 1115, chapter 200, Laws of 1991, and other state and federal requirements" - WAC 173-181-050(11) and 317-10-050(11)**

Notifications should be consistent with the "Required Notifications" found in the NWACP (see Figure 3-2). The Environmental Protection Agency and Ecology can be notified as well. While this is not a requirement, it may help facilitate a rapid response and ensure proper notification. In addition to the federal and state agencies, many tribal and local governments would need to be involved should a spill occur in their jurisdictions. In general, the state emergency management division is responsible for notifying these parties. Local police, fire, ambulances, and hospitals might need to be notified under certain conditions. Their numbers should be included in the Notification Section of the plan.

**"(iii) establishes a clear order of priority for immediate notification." - WAC 173-181-050(11) and 317-10-050(11)**

Given the likely depth of the plan holder's call out list, the individual responsible for initiating the call out list must know who is top priority. Therefore, the plan should identify the notification order of individuals, both for internal staff and outside parties.

Figure 3-2

## **REQUIRED NOTIFICATIONS**

**All spills of oil or hazardous substance into navigable waters must be immediately reported by the spiller to the National Response Center (NRC). The NRC will contact appropriate local USCG or Environmental Protection Agency (EPA) offices. Notifying state offices does not relieve the spiller from federal requirements to notify the NRC.**

**National Response Center (NRC)  
1-800-424-8802 Toll Free  
1-202-267-2675 Toll Call**

**All spills of oil into Washington State waters must be immediately reported to the Washington State EMD.**

**The Washington Emergency Management Division (EMD)  
24-hour Emergency Spill Response  
1-800-258-5990**

**For spills of hazardous substances, the spiller is required to notify the nearest regional office of Ecology.**

**The Washington State Department of Ecology  
24-hour Emergency Spill Response  
Northwest Office, Bellevue: 1-206-649-7000  
Southwest Office, Olympia: 1-360-407-6300  
Central Office, Yakima: 1-509-575-2490  
Eastern Office, Spokane: 1-509-456-2926**

**"The plan shall identify a central reporting office or individual who is responsible for implementing the call-down process." - WAC 173-181-050(11)(b) and 317-10-050(11)(b)**

There must be a key individual or central office identified so that call out will not only occur, but will occur in the priority order described above. If the plan names one or two particular individuals responsible for the entire call out process (e.g. the facility manager) be sure that there are alternates available.

### **C. Spill Categorization:**

**"The plan shall utilize a system of categorizing incident type and severity. Plan holders are encouraged to utilize the system established by the department in the Washington state-wide master oil and hazardous substance spill contingency plan as developed pursuant to RCW 90.48.378 as recodified by section 1115, chapter 200, Laws of 1991." - WAC 173-181-050(11)(c) and 317-10-050(11)(c)**

NWACP supercedes the Washington Statewide Master Oil and Hazardous Substance Spill Contingency Plan. The NWACP currently does not include any provisions for spill categorization. Nevertheless, initial assessment and accurate reporting are important spill response functions that Ecology evaluates.

The plan must identify a logical system of spill classification that triggers different levels of notification within their spill response organization.

When characterizing spills consider the following:

- Volume of spill;
- Size of slick;
- Wind;
- Tides/currents;
- Type of product;
- Environmental sensitivities ; and
- Ability of the local team to contain, protect, and recover.

In some cases the damage to the environment will be greater with a minor spill volume than with a medium spill volume.

## **SPILL ACTION PLAN**

### **A. Incident Command System:**

**"Plans shall address how the plan holder's response organization will be coordinated with an incident command system utilized by state and federal authorities." - WAC 173-181-050(9) & WAC 317-10-050(9)**

The plan holder should demonstrate an understanding of the Incident Command System as it applies to spill response. The plan should also acknowledge the use of a unified command (federal, state, and responsible party OSCs). The Northwest Area Contingency Plan recognizes National Interagency Incident Management System (NIIMS) as the standard management system to be used in emergency spill response. Accordingly, Ecology has adopted NIIMS for managing oil spill response efforts.

While allowing considerable operational flexibility, NIIMS ensures a commonly understood organization, forms, process, and terminology. These are vital to the rapid integration of multiple response organizations under emergency conditions. NIIMS uses a specific planning process leading to the production of an Incident Action Plan to manage a spill. Meetings are held and specific ICS Forms are utilized to capture current information (ICS Form 209) and to project future needs and assignments (ICS Form 215 and 204). Plan holders will need to describe how their spill management team will accommodate state and federal response personnel using NIIMS. The ease or

difficulty in integrating non-NIIMS response organizations, forms, process, and terminology will receive considerable scrutiny during drills.

In addition, this section of the plan should address ICS structure, job and task descriptions, and terminology in a manner consistent with the NWACP. If the plan holders are not using ICS as described in the NWACP, they must demonstrate how the state, federal, and local response personnel will fit into the system.

Note: Please see Appendix G for references to ICS information.

**B. Detection Procedures:**

**"Each plan shall list procedures which will be used to detect and document the presence and size of a spill, including methods which are effective during low visibility conditions.**

**In addition, the plan shall describe the use, if any, of mechanical or electronic monitoring or alarm systems (including threshold sensitivities) used to detect oil discharges into adjacent land or water from tanks, pipes, manifolds and other transfer or storage equipment. " WAC 173-181-050(10)**

The Facility Oil Handling Operations Manual Standard rule (WAC 173-180B) requires submission of a manual which addresses detection procedures. Reference to an approved Operations Manual should suffice for the mechanical or electronic monitoring systems the facility uses.

The contingency plan should include a brief description of the detection procedures. The detection procedures should describe the number of times per shift that each storage tank, pump, vessel, or pipeline will be checked. In addition, the plan should describe the number of times per year that the pipes, manifolds, and other pressure related equipment will be tested and to what specifications.

**"Each plan shall list procedures which will be used to detect and document the presence and size of a spill, including methods which are effective during low visibility conditions.**

**For tank vessels, the plan shall describe the use, if any, of mechanical or electronic monitoring or alarm systems (including threshold sensitivities) used to detect oil discharges into adjacent land or water from tanks, pipes, manifolds, and other transfer or storage equipment" WAC 317-10-050(10)**

Each plan must describe the methods and procedures used to detect an oil spill. This section should describe the timing for deck and water visual observations. Oil transfer procedures should be described as they relate to the detection of spills. Mechanical and electronic systems and alarms should be discussed. The plan should describe how the spill will be documented. Spill reports will be accepted as documentation. Procedures should be in place to document onboard spills that are not required to be reported.

**C. Containment and Removal:**

Containment and removal require both equipment and personnel. The plan must identify enough skilled operators with the required training to deploy and tend boom, to keep the vessels skimmers, back-hoes, vacuum trucks, and other mechanical equipment working 24 hours a day if conditions allow. It is difficult to derive the exact number of personnel that an adequate plan would include. Therefore, the plan reviewer must use their best professional judgement and consider how the amount of equipment the facility has relates to the number of persons it would take to operate that equipment during any 24 hour period.

**"Each plan shall describe, in detail, methods to contain spilled oil and remove it from the environment. Methods shall describe deployment of equipment and personnel, using diagrams or other visual aids when possible." - WAC 173-181-050(19) & WAC 317-10-050(19)**

Generic containment and removal strategies may be referenced in the plan however, facility specific containment and removal strategies must be included in the plan. This information should be quite detailed. The plan should identify various specific cleanup methods and include visual aids where appropriate (e.g. boom deployment formation). Allocation of equipment and personnel could also be overlaid on a facility map showing protection of natural resources via boom or skimmer deployment, as well as land containment via trenches or permanent containment systems. Aerial support must be identified to direct the open water operations. If facility specific GRPs have been developed, they should be included in this plan.

**"Response methods covered must include: Surveillance methods used to detect and track the extent and movement of the spill;" WAC 173-181-050(19)(a) & WAC 317-10-050(19)(a)**

This section should describe the methods that the plan holder will use to detect and track a spill. The plan holder should use a combination of visual detection methods and equipment aided detection methods. NOAA is available to track the trajectory of spills using computer-aided models.

Some plan holders may only describe visual detection methods and rely on NOAA for computer aided models. However, other plan holders may have their own computer modeling and trajectory capabilities. Those plan holders that have electronic capabilities should describe the methods including the software used and the people capable of operating the computers.

Note that a broad range of remote sensing technology is available including fixed wing and helicopter overflights, thermal and infrared imagery, satellite imagery, tracking buoys, and vessel bridge tracking systems.

**"Methods to contain and remove oil in offshore waters;" WAC 173-181-050(19)(b)**

This section should describe the GRP skimming strategies within the scope of the facility plan as well as the equipment and personnel available to accomplish those strategies. Verification of equipment and personnel availability will be evaluated during drills.

**"Methods to contain and remove oil in offshore waters;" WAC 317-10-050(19)(b)**

Vessel plans must describe the methods the plan holder will use to contain and recover oil and oily debris in an open water environment. This discussion should address offshore strategies for all environment conditions within the plan holder's area of operation. This discussion should include strategies that are effective in the conditions found in offshore waters along the coast, in the Strait of Juan de Fuca, Puget Sound, Snake River, and the Columbia River. This section may be referenced to a response cooperative or umbrella plan in which the plan holder is a member and must be consistent with GRP strategies.

**"Methods to contain and remove oil in near-shore waters, including shoreline protection procedures and oil diversion/pooling procedures;" WAC 173-181-050(19)(c)**

This section should describe the GRP protection and recovery strategies within the scope of the facility plan as well as the equipment and personnel available to accomplish those strategies. Verification of equipment and personnel availability will be evaluated during drills.

**"Methods to contain and remove oil in near-shore waters, including shoreline protection procedures and oil diversion/pooling procedures;" WAC 317-10-050(19)(c)**

Vessel plans must describe the methods the plan holder will use to contain and recover oil and oily debris in a nearshore environment. This discussion should address nearshore oil containment, recovery, and shoreline protection strategies for all of the environmental conditions found within the plan holder's areas of operation. This discussion could include strategies that are effective in the conditions found in nearshore waters along the coast, in



the Strait of Juan de Fuca, Puget Sound, and the Columbia River. This section may be referenced to a response cooperative or umbrella plan in which the plan holder is a member.

**"Methods to contain and remove oil, including surface oil, subsurface oil, and oiled debris and vegetation, from a variety of shoreline, adjacent land, and beach types." WAC 173-181-050(19)(d)**

Beach cleanup is a priority in certain environmentally sensitive areas. However, beach cleanup does not always mean active mechanical treatment of the beach area. The facility should identify the various beach types within the scope of the plan. Using a beach cleanup matrix compatible with the NWACP, the facility should predetermine the range of appropriate shoreline and beach cleanup strategies. These cleanup methods and matrix must be appropriate for the oils handled by the facility. The plan must include procedures to gain approval by the unified command before shoreline cleanup operations begin.

**"Methods to contain and remove oil, including surface oil, subsurface oil, and oiled debris and vegetation, from a variety of shoreline, adjacent land, and beach types." WAC 317-10-050(19)(d)**

Vessel plans must describe the methods the plan holder will use to contain and remove oil, oily debris, and vegetation from the shoreline. This discussion should address cleanup methods for all shoreline types within the plan holder's area of operation. This section may be referenced to a response cooperative or umbrella plan in which the plan holder is a member.

#### **D. Spill Response Operations Sites**

**"Each plan shall describe the process to establish sites needed for spill response operations, including location or location criteria for: A central command post;" WAC 173-181-050(15)(a) & WAC 317-10-050(15)(a)**

An Incident Command Post (ICP) is necessary for every incident or event. This is the location where the Incident Commander oversees all incident objectives. When determining the location criteria or the location for the ICP or central command post you will need to determine whether the location is capable of handling numerous response personnel, the media, citizen groups, and communication needs such as multiple phone lines as well as computer modems and radio capabilities. This site should be located near the source of the spill.

**"A central communications post if located away from the command post;" WAC 173-181-050(15)(b) & WAC 317-10-050(15)(b)**

The need for a separate communications post will probably only be necessary if the facility or vessel Worst-Case Spill volume is very large or the spill impacts will cause significant interest resulting in increased communication requirements. The communication post may be located near the ICP or the central command post or in another location. The criteria for locating a communication post are availability of multiple telephone lines, radio, computer, and media availability, as well as access to community resources.

**"Equipment and personnel staging areas." WAC 173-181-050(15)(c) & WAC 317-10-050(15)(c)**

Staging Areas will need to be identified as well. Staging Areas should be established in a location by land or water where resources waiting for assignment could be easily deployed. Staging Areas should be large enough to accommodate all of the expected equipment and personnel that the facility or vessel expects to deploy. The area should also be capable of handling communications with the ICP or the central command post for instructions on deployment of equipment and personnel. Most large incidents will have staging areas and may have more than one.

**E. Flowchart or Decision Tree of Spill Response Operations:**

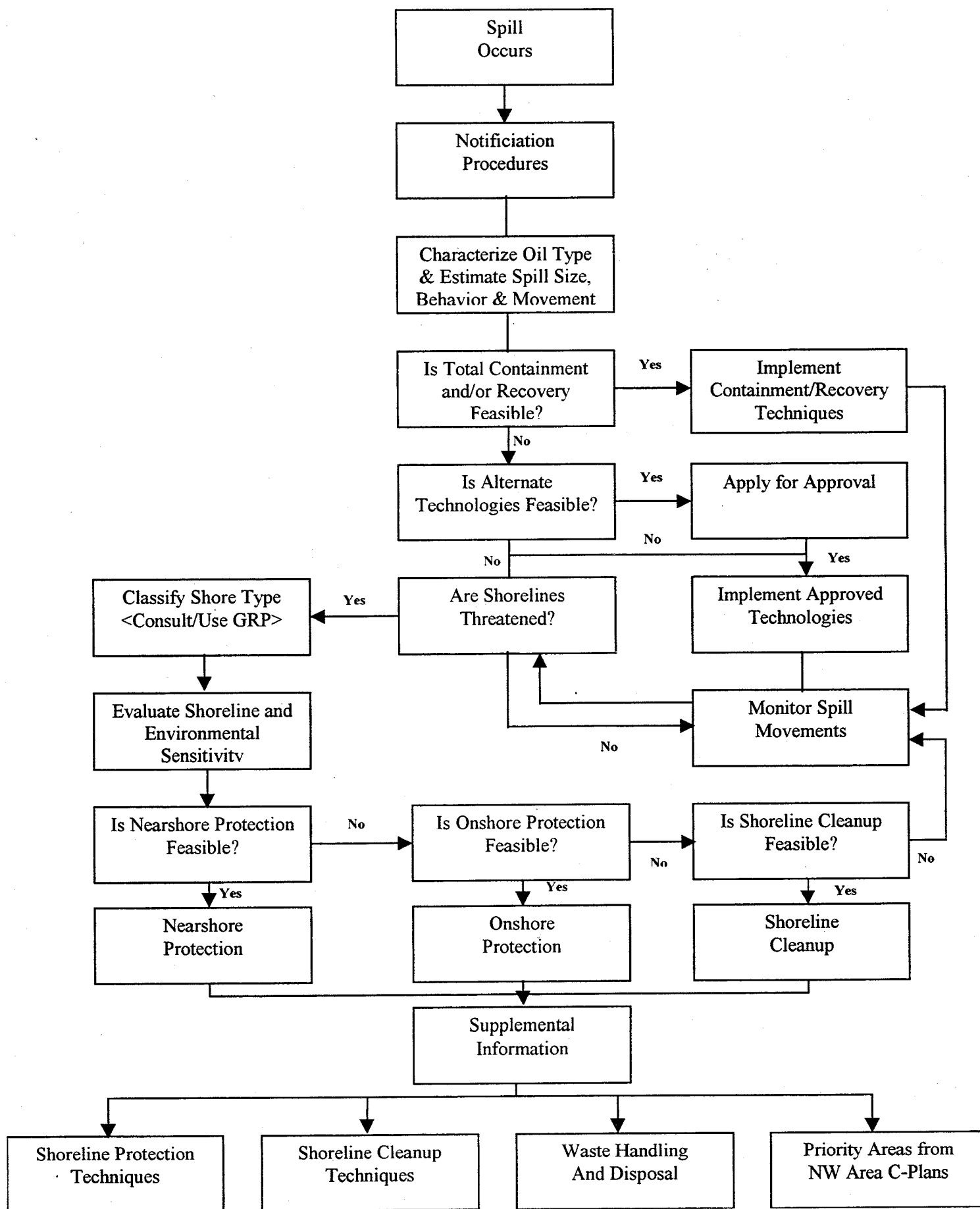
**"Each plan shall present a flowchart or decision tree describing the procession of each major stage of spill response operations from spill discovery to completion of cleanup. The flowchart or decision tree shall describe the general order and priority in which key spill response activities are performed." - WAC 173-181-050(16)(a) & WAC 317-10-050(16)(a)**

This flowchart or decision tree should be able to assist plan holders when a spill occurs. Each action step should be clearly defined and easy to follow. Immediate action steps should include stopping the flow of product if possible, warning personnel, shutting off all ignition sources, containment of the spill if possible, and notification of company and agencies. Secondary action steps that should be included in this section are spill assessment including determination of environmental sensitivity, spill response equipment, and personnel needs. Establishment of a communications center and command post should also occur at this stage in the spill response operations. Disposal options, including liquid oil, solid oily waste debris, and oily water mixtures from skimmers could be dealt with at this stage.

While it is important to remember that each spill is different and can never totally rely on action steps laid out before the incident, the flowchart can identify the priority in which essential steps will be taken.

Figure 3-3

# RESPONSE DECISION DIAGRAM



Checklist of spill response operations:

**"Each plan shall describe all key spill response operations in checklist form to be used by spill response managers in the event of an oil spill." WAC 173-181-050(16)(b) & WAC 317-10-050(16)**

The checklist should include all the steps necessary to cleanup a spill from the facility or vessel. Each plan holder's checklist may have a different format. However, each checklist should follow the logical progression of response activities in the field during a spill. The following is an example of a checklist that would be acceptable to Ecology:

**Emergency Action Steps**

- ☐ Stop the product flow
- ☐ Warn personnel
- ☐ Evacuate area as appropriate
- ☐ Shut off ignition sources
- ☐ Contain if possible
- ☐ Notify Agencies
- ☐ Establish command structure
- ☐ Develop site safety plan

**Assessment**

- ☐ Size of spill
- ☐ Type of oil
- ☐ Equipment needs
- ☐ Personnel needs
- ☐ Predict spill movement
- ☐ Environmental sensitivity of the area

**Containment**

- ☐ Boom needs and availability
- ☐ Booming strategies

**Recovery**

- ☐ Skimmer needs and availability
- ☐ Sorbent needs and availability
- ☐ Beach cleanup methods and equipment
- ☐ Open water cleanup methods and equipment

**Chemical Agents**

- ☐ Availability
- ☐ Regulations for use
- ☐ Applications
- ☐ Environmental sensitivity to chemicals
- ☐ Request for approval letter

**Disposal**

- ☐ Interim storage
- ☐ Permanent disposal options
- ☐ Oily water discharge permit

**F. Dispersants and Other Chemical Treatments:**

**"If the plan holder will use dispersants, coagulants, bioremediants, or other chemical agents for response operations, conditions permitting, the plan shall describe:**

- (a) Type and toxicity of chemicals;**
- (b) Under what conditions they will be applied in conformance with all applicable local, state, and federal requirements, including the state-wide master oil and hazardous substance spill contingency plan;**
- (c) Methods of deployment; and**
- (d) Location and accessibility of supplies and deployment equipment" - WAC 173-181-050(21) & WAC 317-10-050(21)**

If the plan holder intends to use dispersants or other chemical treatments, the plan must address all of the information required in the WAC. The use of dispersants or chemical herders is governed by the NWACP. Chapter Seven of the NWACP includes the policy of Washington State and a checklist to be used in deciding if the use of dispersants or chemical herders is the best course of action. The plan holder should reference the NWACP dispersant policy and checklist.

**G. In-Situ Burning:**

**"If the plan holder will use in-situ burning for response operations, conditions permitting, the plan shall describe:**

- (a) Type of burning operations;**
- (b) Under what conditions burning will be applied in conformance with all applicable local, state, and federal requirements, including the state-wide master oil and hazardous substance spill contingency plan;**
- (c) Methods of application;**
- (d) Location and accessibility of supplies and deployment equipment." WAC 173-181-050(22) & WAC 317-10-050(22)**

If the plan holder intends to use in-situ burning for response operations, the plan must address all of the information required in the WAC. The plan holder must indicate if they intend to consider the use of in-situ burning to remove spilled oil from the water. The use of in-situ burning is governed by the NWACP. Chapter 7 of the NWACP includes the policy of Washington State and a checklist to be used in deciding if the use of in-situ burning is a viable option during a spill response. The plan holder should reference the NWACP in-situ burning policy and checklist.

**H. Emergency Operations Other Than Spills:**

**" Each plan shall list the local, state, and other government authorities responsible for the emergency procedures peripheral to spill containment and cleanup, including:**

- (i) procedures to control fires and explosions, and to rescue people or property threatened by fire or explosion;**
- (ii) procedures to control ground and air traffic which may interfere with spill response operations; and**
- (iii) procedures to manage access to the spill response site." - WAC 173-181-050(17)(a) & WAC 317-10-050(17)(a)**

The plan should include procedures that will allow the plan holder to address emergency spill response operations, such as:

- Fire;
- Explosion;
- Evacuation;
- Rescue operations;
- Site security;
- Traffic control;

- Vessel control; and
- Air traffic control.

These procedures may be referenced to other manuals.

**"Each plan shall describe the plan holder's role in these emergency operation procedures prior to the arrival of proper authorities." WAC 173-181-050(17)(b) & WAC 317-10-050(17)(b)**

Before the arrival of the local authorities responsible for traffic, rescue, fires, and explosions some action may be taken by the plan holder to minimize the threat of damage and danger. The plan should describe the extent of the plan holder's ability in each of these areas.

#### **I. Spill Control:**

**"Each plan shall describe equipment and procedures to be used by the facility personnel to minimize the magnitude of the spill and minimize structural damage which may increase the quantity of oil spilled. Damage control procedures shall include methods to slow or stop pipeline, storage tank, and other leaks, and methods to achieve immediate emergency shutdown." - WAC 173-181-050(18)**

Standards for leak detection and shutdown control are covered in the WAC 173-180, so you will not be measuring this information to any set criteria. However, separate from prevention and containment strategies, the plan holder should describe how leaks and spills would be suppressed at the source. Materials should be available on-site to plug or patch routine spills.

**"Each plan shall describe equipment and procedures to be used by the vessel personnel to minimize the magnitude of the spill and minimize the structural damage which may increase the quantity of oil spilled." WAC 317-10-050(18)**

- (a) For tank vessels, damage control procedures shall include methods and onboard equipment to achieve vessel stability and prevent further vessel damage, slow or stop pipe, tank, and other leaks, and achieve emergency shutdown during oil transfers.**
- (b) For other covered vessels, damage control procedures shall address methods to achieve vessel stability and slow or stop leaks from fuel tanks and lines."**

Vessel plans must describe procedures that will allow the vessel master to determine the actions that will best provide for the structural integrity of the ship. These procedures should include contact information for advice in stability calculations. Procedures for plugging and patching leaks, transferring cargo, and/or fuel should be included. Equipment and structures such as deck combing that will reduce the size of the spill reaching water must be discussed in detail. Procedures to stop or slow the spill must be included.

#### **J. Logistical Resources:**

**"Each plan shall list the logistical resources within the geographic area covered by the plan, including:**

- (a) Facilities for fire services, medical services, and accommodations; and**
- (b) Shoreline access areas, including boat launches." - WAC 173-181-050(31) & WAC 317-10-050(31)**

Contingency plans need to consider all aspects of a worst case spill, not just primary response equipment needs. The plan may include or reference a list of human services which are sufficient to meet the expected personnel levels for a worst case spill, such as lodging (motels, campgrounds, etc.), transportation capabilities, and food services (restaurants, grocery stores). Shoreline access areas within the scope of the plan should be referenced through the GRPs.

## RESPONSE TEAM

### A. Spill Response System:

**"Each plan shall describe the organization of the spill response system, including all task assignments addressed by requirements of this section. This description shall identify the role of an incident commander or primary spill response manager, who shall possess the lead authority in spill response and cleanup decisions. The plan shall describe how a smooth transfer of the incident commander or primary spill response manager position between individuals will be accomplished. An organizational diagram depicting the chain of command shall also be included." - WAC 173-181-050(7) and WAC 317-10-050(7).**

The response organization used by both facility and vessel plan holders needs to be compatible with the National Interagency Incident Management (NIIMS and Incident Command System (ICS) as described in and adopted by the Northwest Area Contingency Plan (NWACP).

Note: When reviewing plans, plan reviewers should use the information contained in the Field Operations Guide (FOG) and NWACP as guidance (see Appendix G for guidance references).

Please see Figure 3-3 for the NWACP organizational chart

The plan should include an organizational diagram. It should also include a list of the tasks each person filling General and Command ICS functions should be capable of staffing. There is a vast difference in the response system that would be used for a small to moderate spill as compared to the response system appropriate for a catastrophic spill incident. Ideally, each plan will address these differences by including organizational diagrams describing the organization of the spill response system for a smaller spill as well as the full blown ICS organization that would be needed in a catastrophic incident.

Each plan must clearly identify those who have the authority and capability to access funds and resources during a spill situation

The facility spill manager or vessel master will be the Responsible Party OSC until relieved of that responsibility. This section should clearly explain how the transfer of incident command would be accomplished.

In accordance with the NWACP, in spills where state, federal, tribal, or local agencies have jurisdictional concerns; a Unified Command Structure (UC) will be implemented during a spill incident.

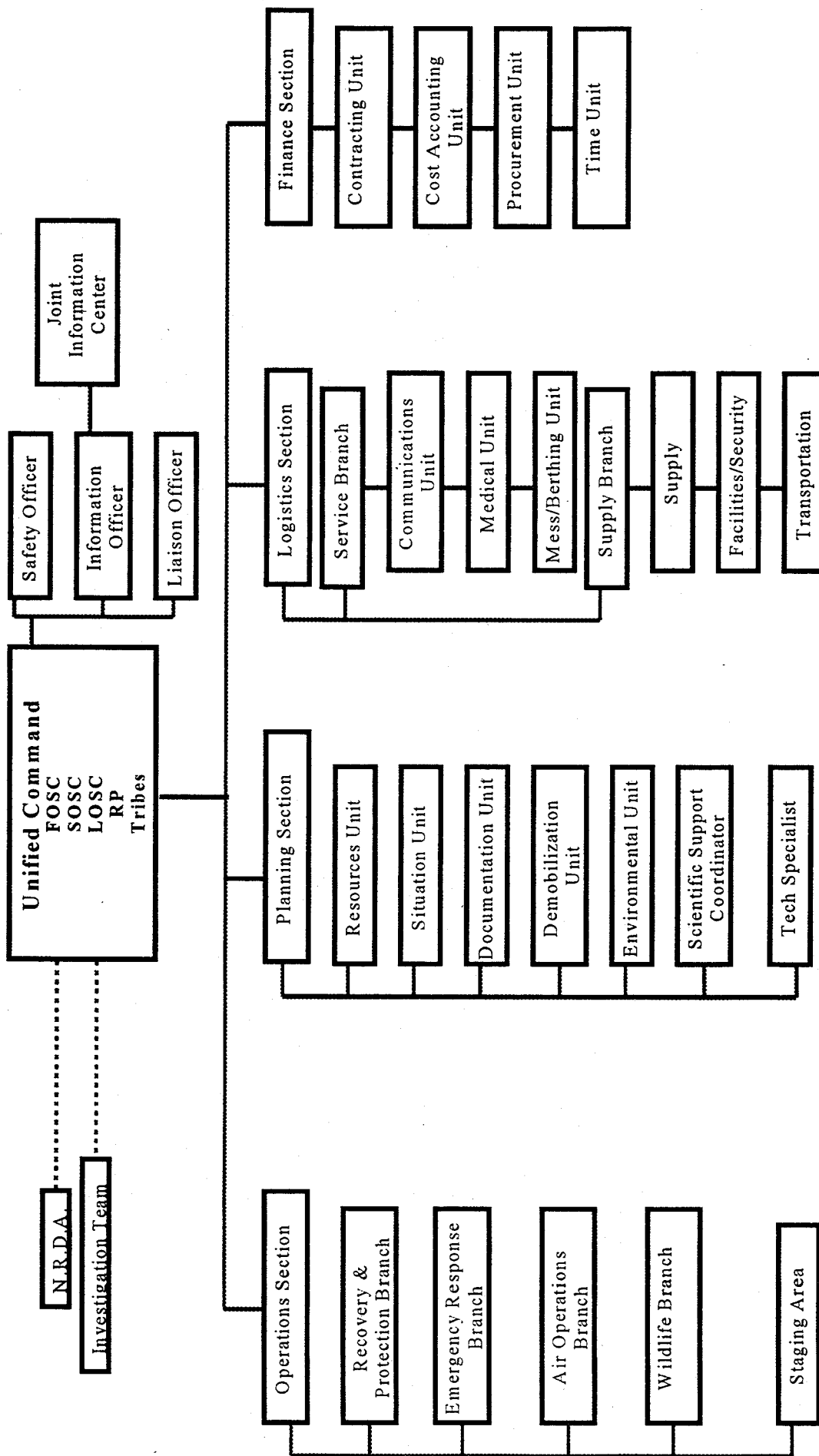


Figure 3-4 UNIFIED COMMAND ORGANIZATION



## **B. Personnel Availability:**

**"Each plan shall describe the personnel (including contract personnel) available to respond to an oil spill, including a job description for each type of spill response position needed as indicated in the spill response organization scheme addressed in subsection 7 of this section; the number of personnel available to perform each type of spill response position;" - WAC 173-181-050(12)(a)(b) and WAC 317-10-050 (a)(b).**

Make sure that a job description for each type of spill response position is included. The plan should also include the number of people available for each position.

For a large spill, the spill organizational chart should identify response personnel (primary and alternate) down to the section level of the ICS. The number of trained responders becomes even more important as the spill response progresses. Think about how many people it would take to staff a large spill response. Has the plan identified adequate number of personnel to keep a response going beyond the initial operational period?

Note: The worst case spill organizational chart included in the plan may be verified through the use of spot checks. An updated organizational chart may be requested prior to an exercise.

**" Arrangements for pre-positioning personnel at strategic locations which will meet criteria pursuant to WAC 173-181-065 (3)(d). and WAC 317-10-065(3)(d) " - WAC 173-181-050(12)(c) and WAC 317-10-050(12)(c) respectively.**

The staging of personnel will likely be more difficult to achieve than the staging of equipment. However, equipment staging areas still must be discussed. This section requires personnel to be deployed within one hour (facilities) or two hours (vessels) of discovering a spill. Personnel must be staged in a close proximity to both potential spill sources and equipment. Plan reviewers will need to use their best professional judgement as to whether the staging areas will satisfy the intent of the one hour or two hour deployment specification. Consider how personnel will be transported to meet this deployment standard. Personnel and equipment traveling by vehicle will be assumed to travel an average rate of 35 miles per hour. If by water, consider the maximum speed of the vessels available to the plan holder. Transport by air, particularly helicopter, is obviously the most rapid mechanism but may not support large personnel numbers.

**"The type and frequency of spill response operations and safety training that each individual in a spill response position receives to attain the level of qualification demanded by their job description; " WAC 173-181-050(12)(d) and WAC 317-10-050(12)(d).**

Be sure that each person is properly trained. The plan should include a list or matrix that identifies the training courses that each person has received. (See Table 3-1 for a sample matrix.) The plan must also provide a description of the materials that were covered in the training. Training on ICS functions down to the unit level should be included in the matrix. If a plan holder does not want to include this information in the body of the plan, it must be made available to plan reviewers for verification.

It may be pertinent to look at the Washington Labor and Industries requirements (Chapter 296-62 WAC Part P) for spill response and safety to verify that each responder has enough training (see Safety and Training,). Facility or vessel personnel will not be counted if they do not have the appropriate level of training, and thus the requirements of WAC 173-181-050(12)(c) and WAC 317-10-050(12)(c) above may need to be reviewed while looking at the training received.

## **B. Contractors:**

**"For each primary response contractor which a plan holder may or does rely on to perform or supplement its response operations within the geographic area covered by the plan, the plan shall state that contractor's name, address, phone number or other means of contact at any hour of the day, and response capability (e.g.,**

land spills only). For each primary response contractor, the plan shall include a letter of intent signed by the primary response contractor indicating the contractors willingness to respond. Copies of written contracts or agreements with primary response contractors shall be available if requested by the department for inspection." WAC 173-181-050)-(8)(a) and WAC 317-10-050(8)(a).

"Plans which rely on primary response contractors shall rely only on primary response contractors approved by the department under WAC 173-181-090 and WAC 317-10-090 -" WAC 173-181-050(8)(c) and WAC 317-10-050(8)(c).

When reviewing this section make sure that the contractor is currently certified and on the list of approved contractors in Appendix E. Verify the name, address, and phone number including the 24 hour number directly with the contractor. There must also be a letter of intent from each contractor that the facility or vessel has listed as a resource. The letter will need to indicate the contractor's willingness to respond to a spill at the facility or vessel. This information will be pertinent to the equipment and response sections. Plan reviewers will need to consider how many other facilities or vessels have a letter of intent with the same contractor (see section on Equipment Adequacy).

Note: Verify that the plan holder's areas of operation are covered by their primary response contractor.

#### C. Cooperatives:

"If a plan holder is a member of an oil spill response cooperative and relies on that cooperative to perform or supplement its response operations within the geographic area covered by the plan, the plan shall state the cooperative's name, address, phone number, and response capability. The plan shall also include proof of cooperative membership." WAC 173-181-050(8)(b) and WAC 317-10-050(8)(b).

When reviewing this section make sure that the cooperative's name, address, and phone number are correct. The plan must also include a statement of the cooperative's response capabilities; personnel available and trained, and equipment type, make, model and nameplate capacity. There must also be a proof that the plan holder is a member of the cooperative; a letter from the cooperative, a certificate, or a receipt of membership dues can meet this proof.

Note: Verify that the plan holder's areas of operation are covered by their cooperative.

#### D. Volunteers:

"The procedures, if any, to train and use volunteers willing to assist in spill response operations. Volunteer procedures for wildlife rescue shall comply with rules adopted by the Washington department of wildlife." - WAC 173-181-050(12)(e) and WAC 317-10-050(12)(e).

The role of volunteers has become more substantial in recent years. Therefore, if the plan holder intends to utilize volunteers as a resource they must either establish a trained pool to draw from or establish training procedures. If a plan holder intends to use an individual paid or not, for spill cleanup tasks which require safety training, that individual must be trained appropriately. If the same individual shows up at the spill site and begins to work independently, the plan holder is not liable for their spill training. When using volunteers plan holders will need to verify that the Labor and Industry regulations regarding training are satisfied (see Safety and Training Section).

Note: see NWACP - Oiled Wildlife Response in Washington State

Table 3-1

ICS Functions	Regulatory Requirements	# Trained Personnel	# Hours of Training		
	WAC 296-62-300 Part P		CRP	NWACP ▲	CRMS
Incident Commander ▲	80 hrs				
Deputy Incident Commander	80 hrs				
Liaison Officer	40 hrs				
Information Officer	24 hrs				
Legal Officer	24 hrs				
Documentation Unit Leader	NR				
Claims Unit Leader	24 hrs				
Safety Officer	80 hrs				
Personnel to assist Safety	80 hrs				
Operations Section Chief ▲	80 hrs				
Operations Personnel	80 hrs				
Air Support Unit Leader	40 hrs				
Planning Section Chief ▲	80 hrs				
Environmental Unit Leader * ▲	24 hrs				
Environmental Personnel	80 hrs				
Technical Specialists (could include paid contractors, fed, state, or local specialists)	40 hrs				
Situation Unit Leader	24 hrs				
Resource Unit Leader	24 hrs				
Logistics Section Chief ▲	NR				
Communications Personnel	40 hrs				
Site Security	24 hrs				
Support Services Personnel	24 hrs				
Purchasing Personnel	NR				
Finance /Admin Section Chief	NR				
Accounting Personnel	NR				

\* When available, this unit will be lead by a federal, state, or tribal environmental trustee.

NWACP – Northwest Area Contingency Plan	CRP – Company Response Plan
CRMS – Company Response Management System	NR – No specific training in WAC

## RESPONSE EQUIPMENT

### A. Equipment List:

"Each plan shall list the type, quantity, age, location, maintenance schedule, and availability of equipment used during spill response, including equipment used for oil containment, recovery, storage, and removal, shoreline and adjacent lands cleanup, wildlife rescue and rehabilitation, and communication." - WAC 173-181-050(13)(a) and WAC 317-10-050(13)(a)

Each plan must describe the equipment the plan holder is relying on to address all aspects of a worst case spill response. The plan may reference a state approved primary response contractors (PRC) application for the equipment specifics if the PRC has provided a letter of intent to the plan holder. All other equipment must be described within the plan.

Note: Only equipment owned by the plan holder or by an approved primary response contractor that has given the plan holder a letter of intent will be counted towards the planning standards/benchmarks.

### B. Shared Equipment:

"For equipment listed under part (a) of this subsection that is not owned by or available exclusively to the plan holder, the plan shall also estimate the extent to which other contingency plans rely on that same equipment." - WAC 173-181-050(13)(b) and WAC 317-10-050(13)(b)

Consideration must be given to the location and availability of referenced equipment for the number of plan holders relying on it. A determination of whether each plan holder can meet the planning standards or benchmarks must be made for all plans for each equipment staging area. Remember that WAC 173-181-080(1) and WAC 317-10-080(1) require notification of "nonreadiness" which should provide incentives for plan holders to have back-up equipment for their pooled equipment.

### C. Equipment Prepositioning:

"The plan shall provide arrangements for pre-positioning of oil spill response equipment at strategic locations which will meet criteria pursuant to WAC 173-181-065(3)(d) or WAC 317-10-065(3)(d)." - WAC 173-181-050(13)(f) and 317-10-050(13)(f)

The plan must describe how the plan holder or their primary response contractor has pre-positioned equipment and personnel to meet the one hour or two hour deployment standards as required by rule. This section should allow the plan reviewer to determine if the plan holder can meet the planning standards or benchmarks.

### D. Equipment Deployment Standard

"Provide for initial deployment of response equipment and personnel at the site of the spill within 1 hour (Facilities) or 2 hours (Vessels) of the plan holder's awareness that a spill has occurred given suitable safety conditions;" WAC 173-181-065(3)(d) and WAC 317-10-065(3)(d).

"Each plan shall briefly describe initial equipment and personnel deployment activities which will accomplish the response standard listed in WAC 173-181-065(3)(d) and WAC 317-10-065(3)(d), and provide an estimate of the actual execution time. - WAC 173-181-050(20) and WAC 317-10-020(20).

Initial deployment was not defined in the rule in order to provide flexibility to the plan reviewer given the variety of products and areas involved. However, there are several principles that should be used as guidance. First, initial deployment does not mean initial mobilization. Therefore, a plan which simply provides for bringing equipment to the dock or unloading boom within one or two hours is not adequate. The plan should provide for some type of

direct containment or diversion activities within initial time period. For example, a plan which has boom and deployment vessels prepositioned and arranges for several trained personnel to be on-site in 30 minutes and in the water deploying diversion boom near a sensitive wetland within initial time period would meet the intent of the standard.

**E. Equipment Capability:**

**"For oil containment and recovery equipment, the plan also shall include equipment make and model, the manufacturer's nameplate capacity of the response equipment (in gallons per minute), and applicable design limits (e.g., maximum wave height capability, inland waters vs. open ocean)." - WAC 173-181-050(13)(c) and WAC 317-050(13)(c).**

The plan must specifically identify the equipment the plan holder is relying on to respond to oil spills. Equipment provided to the plan holder by a primary response contractor (PRC) may be referenced to the PRC's state approved application. The capacity of the recovery equipment may need to be converted from gallons per minute to barrels per day to correspond with the planning standards/benchmarks and equipment capability.

**"Based on information described in part (c) of this subsection, the plan shall state the maximum amount of oil which could be recovered per 24 hour period." - WAC 173-181-050(13)(d) and 317-10-050(13)(d).**

The maximum amount of oil recoverable in a 24 hour period will be dependent on the equipment identified to satisfy the WAC 173-181-050(13)(c) or WAC 317-10-050(13)(c) requirements.

**"For purposes of determining plan adequacy under WAC 173-181-065 or WAC 317-10-065, and to assess realistic capabilities based on potential limitations by weather, sea state, and other variables, the data presented in parts (c) and (d) of this subsection will be multiplied by an average efficiency factor of 20 percent. The department will apply a higher efficiency factor for equipment listed in a plan if that plan holder provides adequate evidence that the higher efficiency factor is warranted for particular equipment. The department may assign a lower efficiency factor to particular equipment listed in a plan if it determines that the performance of that equipment warrants such a reduction." - WAC 173-181-050(13)(e) and WAC 317-10-050(13)(e).**

There are a number of factors that limit the nameplate capacity of response equipment. Visibility often restricts the time available in a 24 hour period for operations - typically at least 50%. Rough weather and sea state may preclude operations or decrease recovery efficiency. The equipment will only recover a certain percentage of oil. Therefore, rather than require an efficiency analysis for every piece of equipment for every potential situation, the rule uses a 20% efficiency estimate. This number should be multiplied with any nameplate capacity given in the plan to provide a more realistic capacity.

**F. Determining Equipment Adequacy:**

**"A plan shall be approved if, in addition to meeting criteria in WAC 173-181-045 or WAC 317-10-045 and WAC 173-181-050 or WAC 317-10-050, it demonstrates that when implemented, it can:**

- (a) To the maximum extent practicable, provide for prompt and proper response to and cleanup of a variety of spills, including small chronic spills, and worst case spills;**
- (b) To the maximum extent practicable, provide for prompt and proper protection of the environment from oil spills" - WAC 173-181-065(3) and WAC 317-10-065(3).**

The planning standard and benchmarks will be used as a guideline to determine if enough equipment and personnel are available to respond to the plan holder's worst case spill. A number of factors must be considered when determining equipment adequacy. The planning standards and benchmarks are located in Appendix B.

1. Equipment and personnel must be positioned to allow them to reach a spill site within the timeframes identified in the planning standards or benchmarks. There will be times when conditions will not allow personnel and equipment to arrive safely within the stated timeframes but these conditions should be the exception and not the rule.
2. The equipment available should be capable of working in the expected environmental conditions found in the plan holders area of operation. Example: Plan holders operating vessels in the Strait of Juan de Fuca or along the coast must have equipment and personnel capable of operating in open water and nearshore conditions.
3. Recovery equipment will be given 20% de-rated capacity unless a higher recovery efficiency rating has been approved.
4. Equipment that is not dedicated to spill responses (such as vacuum trucks) will be counted on a two for one basis based on the planning standards and benchmarks.
5. Check if personnel numbers are adequate to deploy the equipment under evaluation.

## **COMMUNICATIONS**

### **A. Communication System:**

**"Each plan shall describe the communication system used for spill notification and response operations, including:**

**(a) Communication procedures" - WAC 173-181-050(14) and WAC 317-10-050(14)**

A detailed description of the procedures used to ensure spill notifications are made to agencies and response personnel during regular business hours and after-hours must be included in the plan.

Communications during a spill event can make the spill easier or more difficult to handle depending on the ability of the responders to communicate quickly and effectively. Communications procedures should include step-by-step instructions indicating what frequency will be available for each function when to use the radio, and when to use a telephone. Good communication practices should be spelled out so there is no misunderstanding on the part of the facility workers or vessel crew as to when and how to use radios and phones. A form such as the ICS 205 shown in Figure 3-4 could be used.

### **B. Communication Functions:**

**"The communication function (e.g., ground-to-air) assigned to each channel or frequency used;" - WAC 173-181-050(14) and WAC 317-10-050(14)**

Communication functions are described as ground to vessel, ground to air, vessel to vessel, ground to ground, vessel to air, air to air, and command center functions. Each of these functions may have its own frequency and may utilize both UHF and VHF. The facility or vessel plan holder should coordinate the use of frequencies with local or other appropriate agencies. The plan should include a listing of the various frequencies that will be used by the facility or vessel, response contractors, and the local agencies.

### **C. Communication Range:**

**"The maximum geographic range for each channel or frequency used." - WAC 173-181-050(14) and WAC 317-10-050(14)**

It is important for the plan holder to state the maximum geographic range for each frequency and this information should be evaluated when considering their choice of communication or command posts. Be sure to determine if the geographic range covers the sensitive areas that could be affected by a spill from the facility or vessel.

## **DISPOSAL**

It is the expectation of Ecology that all plan holder disposal plans will be in accordance with the "Guideline" and will follow the "Sample Disposal Plan" format as identified in the NWACP's Disposal Plan (Section 9620).

### **A. Interim Storage:**

**"Each plan shall describe site criteria and methods used for interim storage of oil recovered and oily wastes generated during response and cleanup operations, including sites available within the facility. Interim storage methods and sites shall be designed to prevent contamination by recovered oil and oily wastes." - WAC 173-181-050(24)(a) and WAC 317-10-050(24)(a)**

All disposal plans should address criteria identified in Section 3 of the NWACP's Disposal Plan. Facility plans should specifically describe sites available within the facility. Vessel plans must describe how the plan holders will ensure on-water and shoreline interim storage will be available.

When considering a potential interim storage site the following points should be reviewed: geology, groundwater, soil, flooding, surface water, slope, cover material, capacity, climatic factors, land use, toxic air emissions, security, access, and public contact.

**"If use of interim storage sites will require approval by local, state, or federal officials, the plan shall include information which could expedite the approval process, including a list of appropriate contacts and a brief description of procedures to follow for each applicable approval process." - WAC 173-181-050(24)(b) and WAC 317-10-050(24)(b)**

All disposal plans should address criteria identified in the NWACP's Disposal Plan. As per the NWACP's Sample Disposal Plan, signature on the cover page implies approval by the Unified Command of all provisions contained within disposal plans.

### **B. Permanent Disposal:**

**"Interim storage and permanent disposal methods and sites shall be sufficient to keep up with oil recovery operations and handle the entire volume of oil recovered and oily wastes generated." - WAC 173-181-050(24)(d) and WAC 317-10-050(24)(d)**

All disposal plans should address the criteria identified in Section 6 of the NWACP's Disposal Plan.

**"Interim storage and permanent disposal methods and sites shall comply with all applicable local, state, and federal requirements." - WAC 173-181-050(24)(e) and WAC 317-10-050(24)(e)**

All disposal plans should address the criteria identified in Section 6 of the NWACP'S Guidance and Model Disposal Plan.

**"Each plan shall describe methods and sites used for permanent disposal of oil recovered and oily wastes generated during response and cleanup operations." - WAC 173-181-050(24)(c) and WAC 317-10-050(24)(c)**

All disposal plans should address the criteria identified in Section 6 of the NWACP'S Guidance and Model Disposal Plan.

## **RISK ANALYSIS/PREVENTION**

### **A. Worst Case Spill Determination:**

**"Each plan shall describe the purpose and scope of that plan, including...the size of the worst case spill from the facility or vessel ."- WAC 173-181-050(4)(c) and WAC 317-10-050(4)(c)**

The definition of worst case spill for an onshore facility involves the volume of the largest above ground storage tank, "unless the department determines that a larger volume is more appropriate given the facility's site characteristics and storage, production, and transfer capacity." Therefore, one of the most critical steps in plan review is determining whether the worst case spill estimate is appropriate. Be sure that the facility is using the same definition of worst case spill as the WAC and that their worst case spill is no less than the volume of the largest possible above ground storage tank on the facility. Note that we are concerned with the volume of the largest tank, the worst case spill does not necessarily mean that a tank failure is involved. Consider the facility site characteristics including storage, production, and transfer capacity. Are tanks arranged, for example, so that failure of one tank will most likely cause failure of other tanks leading to a volume larger than the largest tank? Do pipeline connections, lack of shutoff alarms, or production factors contribute to a situation where the largest above ground tank is inappropriate? Has the facility had a spill in the past that exceeded the volume of the largest tank? Ask these questions and others to determine if the worst case spill is appropriate, and if not, what volume is.

The WAC does not define the worst case spill volume for an oil pipeline. Ecology has informally adopted the U.S. Department of Transportation, Office of Pipeline Safety (USDOT) method for determining worst case spill volume determination. USDOT defines the worst case discharge volume as the largest volume determined from three different methods: 1) the pipeline's maximum release time, plus the maximum shutdown response time multiplied by the maximum flow rate per hour, plus the largest line drainage volume after shutdown; 2) the maximum historic discharge from the pipeline; and 3) the largest single breakout tank or battery of breakout tanks without a single secondary containment system.

The worst case spill volume for a covered vessel is defined as the total oil storage capacity of the vessel plus the total volume of the vessel's fuel and lube tanks.

### **B. Spill Risk Variables:**

**"Each facility plan shall list the spill risk variables within the geographic area covered by the plan, including:**

- (i) Types, physical properties, and amounts of oil handled;**
- (ii) A written description and map indicating site topography, stormwater and other drainage systems, mooring areas, pipelines, tanks, and other oil processing, storage, and transfer sites and operations; and**
- (iii) A written description of sites or operations with a history of or high potential for oil spills." - WAC 173-181-050(29).**

Be sure that types, physical properties, and amounts of oil handled present the entire picture of facility operations in terms of annual flow, maximum and minimums, and average volumes; anything you need to understand risk factors. Similarly, an adequate map and site description should be provided with identification of each tank and storage area, including its capacity and contents (may be a variety). Check spill reports, inspection reports, and other department information, including your own familiarity with the facility as a way to confirm that the written description of high potential spill factors is accurate.

**"Each covered vessel plan shall list the spill risk variables within the geographic area covered by the plan, including:**

- (a) Types, physical properties, and amounts of oil handled;**
- (b) Except for plans filed by the Washington State Maritime Commission or a maritime association defined by Oregon law, a written description and diagram indicating cargo, fuel, and ballast tanks and piping, power plants, and other oil storage and transfer sites and operations; and**



- (c) **A written description of operations with a history of or high potential for oil spills, including key areas which pose significant navigation risk within the geographic area covered by the plan." WAC 317-10-050(29)**

Consideration should be given to how well the types and properties of the oil being handled matches the recovery equipment listed in the plan. Descriptions and diagrams required in this section may be referenced to plan holder's prevention plan. Consideration must also be given to past spills or high risk operations to ensure all measures are taken to reduce the chances of a spill.

**C. Spill Scenarios:**

**"Each plan shall describe detailed, plausible, step-by-step response scenarios for:**

- (i) A small oil spill of less than 500 gallons; and**
- (ii) A worst case spill as described in the plan pursuant to subsection (4)(c) of this section." - WAC 173-181-050(32)(a) and WAC 317-10-050(32)(a).**

Response scenarios should give the reviewer an indication if the plan addresses all of the appropriate response activities in a logical order. It should also be obvious whether or not the plan holder has enough personnel and equipment to respond properly. All oil spills are different and for every hypothetical spill the plan holder describes, the story can be written various ways. However, as a story, the scenario should be analyzed to determine if all the pieces of the plan make sense when put together. Does the worst case spill scenario cover the same volume reported in section 050(4)? The facility's volume must at least be equal to the largest tank but the worst case spill scenario does not have to involve a leak from the largest tank. Does the worst case spill scenario involve risk factors identified in section 050(29)?

**"Each scenario description shall include:**

- (i) The circumstances surrounding the spill, including size, type, location, climatic and hydrographic conditions, time, and cause;**
- (ii) An estimate of oil movement during the first 72 hours, including likely shoreline contact points; and**
- (iii) Estimates on response time and percent recovery for each distinct phase of operations." - WAC 173-181-050(32)(b)**

The scenario should describe the factors and events that you would expect to read in a summary of an actual spill response such as cause, conditions, location, response actions, spill management team personnel and organization, equipment on-site, GRPs deployed, and recovery volumes through time. Many effective scenarios actually use a format that reflects a hypothetical response log with entries for different times and phases in the event. Does the scenario estimate oil movement during the first 72 hours? This requirement does not need to be met by a full-scale spill trajectory but the plan should provide a general visual description of estimated oil movement. In terms of response time and percent recovery, first examine whether these estimates are consistent with other parts of the plan that estimate initial deployment times and 24 hour response recovery.

ICS forms may be useful when depicting information for small spill or the initial stages of worst case spill scenarios. For the small spill scenario an ICS 201 form developed at a previous drill could be used.

**"If a plan applies to multiple facilities or covered vessels, each scenario description shall discuss implementation of the plan in the event of simultaneous separate spills." - WAC 173-181-050(32)(c) and WAC 317-10-050(32)(c).**

While it may be unlikely for two or more facilities or vessels to have simultaneous spills, it is certainly plausible given the worst case framework that two facilities or vessels will have spills within a close span of time. If these facilities or vessels are both covered under the same plan, the plan scenario should address how plan resources will be applied to adequately clean up each spill.

#### D. Prevention Measures:

"Unless the plan holder has received approval for a prevention plan submitted pursuant to ESHB 1027, Laws of 1991, each onshore facility and offshore facility plan shall describe measures taken to reduce the likelihood that a spill will occur which exceed or are not covered by existing state and federal requirements, including:

- (a) Type and frequency of personnel training on methods to minimize operational risks;
- (b) Methods to ensure equipment integrity, including inspection and maintenance schedules;
- (c) Methods to reduce spills during transfer operations, including overfill prevention; and
- (d) Secondary containment for tanks, pipes, manifolds, or other structures used for storage or movement of oil other than liquefied petroleum gases." - WAC 173-181-050(28)
- (e) For tank vessels, key measures used to reduce risks during navigation. – WAC 317-10-050(28)

All the regulated facilities and vessels must submit prevention plans to the Prevention Section. Currently, prevention staff are in the process of reviewing the submitted plans. For information concerning vessel or facility prevention plans, personnel oil-handling training, or operations manuals, call the prevention staff at headquarters.

Section 065 requires plan reviewers to consider the "extent to which reasonable, cost-effective spill prevention measures have been incorporated into the plan." However, rather than this meaning that plan adequacy requires demonstration of a certain level of prevention capability, the prevention information should apply to the plan as a positive factor.

#### **Environmental Protection/Data**

##### A. Environmental Protection

"Each plan shall describe how environmental protection will be achieved, including: Protection of sensitive shoreline and island habitat by diverting or blocking oil movement" - WAC 173-181-050(23) and 317-10-050(23).

Plan holders should address this requirement in terms of implementing the appropriate collection, deflection, burning, and dispersant strategies as described in Chapter 4 of the appropriate Geographic Response Plans (GRP). The plan holder should address the amount and type of boom described in the GRP and its availability to implement the appropriate protection for sensitive resources. In the event that there is not a specific GRP covering the area involved, arrangements need to be made with the plan holder to develop a specific GRP for the area of concern.

If a GRP has not been developed for the plan holders area of operation the plan must provide the required information.

"Priorities for sensitive area protection in the geographic area covered by the plan as designated by the department in environmentally sensitive area maps referenced in the state-wide master oil and hazardous substance spill contingency plan" - WAC 173-181-050(23) and 317-10-050(23).

Compliance with this section should be measured against the appropriate priorities identified in the GRP. The environmentally sensitive area maps have been incorporated into Chapters 4, 5, and 6 of each GRP. Ecology's Preassessment Screening and Resource Compensation Schedule rule (WAC 173-183) will also provide information on relative habitat values. Consequently facility plan holders with highly ranked marine habitat on one side and lower ranked habitat on the other should reflect this in their plan in terms of equipment location, booming strategies, etc. If a facility plan holder's area has not yet been ranked by Ecology, the plan reviewer should consult with the Natural Resources Damage Assessment (NRDA) coordinator to develop a GRP for the plan area.

If a GRP has not been developed for the plan holders area of operation the plan must provide the required information.

**"Rescue and rehabilitation of birds, marine mammals, and other wildlife contaminated or otherwise affected by the oil spill in conformance to Washington department of wildlife rules" - WAC 173-181-050(23) and 317-10-050(23).**

The Washington Department of Fish and Wildlife (WDFW) will manage all wildlife rescues. The plan holder is welcome to participate in wildlife rescue operations, but the responsibility lies with the state. The plan should also reference WDFW as the point of contact for wildlife rescue and provide a contact number. A reference should also be made to the NWACP.

**"Measures taken to reduce damages to the environment caused by shoreline and adjacent land cleanup operations, such as impacts to sensitive shoreline habitat by heavy machinery." - WAC 173-181-050(23) and 317-10-050(23).**

Shoreline cleanup following an oil spill is a critical element in determining the ultimate environmental impact and cost of an oil spill. The plan holder needs to reference and understand the appropriate shoreline cleanup process when addressing shoreline oil removal techniques.

Note: Also see discussion related to shoreline cleanup for WAC 173-181-050(19)(d) and WAC 317-10-050(19)(d).

**B. List of Environmental Variables:**

**"Each plan shall list the environmental variables within the geographic area covered by the plan, including: Natural resources, including coastal and aquatic habitat types and sensitivity by season, breeding sites, presence of endangered or threatened species, and presence of commercial and recreational species;" - WAC 173-181-050(30) and 317-10-050(23).**

The easiest way for plans to meet this requirement is to reference those environmentally sensitive area maps presented in Chapters 5 and 6 of the GRP. If copies of the GRPs are appropriate but are not in the plan, encourage the plan holder to use GRP for consistency purposes. Otherwise, if there is no specific GRP for the plan holder area be sure that the plan holder documents the source of their environmentally sensitive area maps.

If a GRP has not been developed for the plan holders area of operation the plan must provide the required information.

**"Public resources, including public beaches, water intakes, drinking water supplies, and marinas" - WAC 173-181-050(30) and 317-10-050(30).**

The easiest way for plans to meet this requirement is to reference the appropriate GRP. The plan holder should also use their local knowledge of the area to make sure obvious beaches or other resources have not been omitted. Like the natural resource data required in subpart (a), this information can easily be added to the GRP. If no GRP exists for the area then the plan holder's local knowledge in conjunction with consultation with the state GRP lead can be substituted.

If a GRP has not been developed for the plan holders area of operation the plan must provide the required information.

**"Seasonal hydrographic and climatic conditions" - WAC 173-181-050(30)(c) and 317-10-050(30)(c).**

Plans should provide information for each season on maximums, minimums, and averages for wind speed and direction, visibility and day length, current speed and direction, and tidal fluctuations. This information may be general for the planning area but for the navigable waters immediately adjacent to a facility, specific information should be available. The purpose of this information is to allow for a rough estimate of oil movement and cleanup feasibility given a discharge in a certain season. Information such as tides may be referenced.

**"Physical geographic features, including relative isolation of coastal regions, beach types, and other geological characteristics" - WAC 173-181-050(30)(c) and WAC 317-10-050(30)(c).**

Again, the purpose of this information is to guide allocation of spill response resources. The plan should briefly describe the geographic layout of the planning area, such as quantity of shoreline, presence of islands, etc. If certain coastal regions within the plan area are inaccessible by land or water, this should be in the plan. References to the GRPs should be made.

If a GRP has not been developed for the plan holders area of operation the plan must provide the required information.

## **SAFETY AND TRAINING**

### **A. Safety Procedures:**

**"Each plan shall describe procedures to protect health and safety of oil spill response workers, volunteers, and other individuals on-site. Provisions for training, decontamination facilities, safety gear, and a safety officer position shall be addressed." WAC 173-181-050(25) and WAC 317-10-050(25)**

Plans must provide for prompt regular air monitoring. Safety gear must be adequate for handling the types of oil addressed by the plan. Appropriate personal protective equipment (outerwear, boots, gloves, goggles, hard hats, etc.) and respiratory gear, must be available for all response personnel. Decontamination facilities and equipment must be adequate for the number of personnel available. First aid kits, restrooms, lighting, and other health and safety needs should also be addressed.

A safety officer must be included on the list of required spill response personnel positions. If safety officer responsibilities are combined with another position, make sure the two are compatible so that the duties of the safety officer are not compromised. Material Safety Data Sheets (MSDS) and other safety/toxicological data must be available for all oil products and other hazardous materials that could be involved in spill response. The location of these documents must be identified in the plan.

Finally, the plan should discuss how site safety plans which incorporate the above points, will be developed. Model safety plans must be included in the contingency plan. Often two types of safety plans must be written for a single spill. An initial safety plan is necessary to identify safety information required in the emergency phase of a spill response. A second more detailed safety plan will be necessary for a response that moves past the emergency phase and into a cleanup project phase.

### **B. Safety and Response Training:**

**"Each plan shall describe the personnel (including contract personnel) available to respond to an oil spill, including...**

- (d) The type and frequency of spill response operations and safety training that each individual in a spill response position receives to attain the level of qualification demanded by their job description; and**
- (e) The procedures, if any, to train and use volunteers willing to assist in spill response operations. Volunteer procedures for wildlife rescue shall conform to requirements by the Washington Wildlife Coalition pursuant to RCW 90.48.387 and 90.48.388." - WAC 173-181-050(12)**

Each person in a spill response position must meet appropriate federal OSHA and state WISHA training requirements. At a minimum, each worker who is available immediately upon spill discovery (while emergency conditions exist) must have current safety training appropriate to their position as described in Labor and Industries regulation WAC 296-62-3112.

Volunteers for non-wildlife rescue operations must meet the same safety training criteria as employees. Wildlife rescue volunteers must meet training requirements as developed by the Department of Fish and Wildlife and outlined in the Northwest Area Contingency Plan.

## **DRILLS/EVALUATION**

### **A. Post-Spill Review:**

**“Each plan shall explain post-spill review procedures, including methods to review both the effectiveness of the plan amendments. Post-spill procedures shall provide for a debrief of the department.” – WAC 173-181-050(12) and WAC 317-10-050(12).**

The plan should describe when and how the contingency plan would be evaluated following a spill. Ideally, a debrief meeting should be held within several weeks after the completion of spill cleanup and should involve all relevant participants in the spill to critique the plan's effectiveness. The debrief meeting should be summarized in a written report, which would include recommendations for plan changes and a schedule for implementing any recommendations. Make sure that somehow an appropriate Ecology regional spill responder or contingency planner is involved in the debrief process either through participation in a meeting, phone call, or through a written report.

### **B. Drill and Exercises:**

**“Each plan shall describe the schedule and type of drills and other exercises which will be practiced to ensure readiness of the plan elements, including drills which satisfy WAC 173-181-070(3) or WAC 317-10-050(3).” WAC 173-181-050(27) and WAC 317-10-050(27).**

The plan should describe a drill and exercise program that will ensure that the plan holder will conduct the appropriate number and type of drills that will meet the requirements described in the drill guidelines. Ecology's drill program operates on a triennial cycle with annual drills required to meet all of the contingency plan drill checklist items described in the drill guidance document.

Note: See Appendix D for specific guidance in Designing and Conducting Oil Spill Drills

**“Test of internal call out procedures shall be performed at least once every ninety calendar days and documented by the plan holder. Such test are only required to involve notification, not actual deployment.” WAC 173-181-050(27) and WAC 317-10-050(27).**

Basically, at least every three months the plan holder should provide for a person picking up the phone at some random time and calling up individuals on the call out list to verify its accuracy. The plan should identify a person or position responsible for performing this exercise and describe how documentation will occur. Make sure that all key individuals on the call down list are involved (e.g. contractors, key incident command positions, etc.). The exercise should only be internal - e.g. Ecology or government agencies should not be involved.

***This page is intentionally left blank.***

## CHAPTER 4 - CONTRACTOR STANDARDS

### PROCEDURES

**Review Responsibilities:** Present policy calls for staff to review applications and do inspections of contractors. Staff will maintain the public review file and update the file as notifications of changes are received from contractors.

**Timelines:** Contractor applications should be evaluated promptly for completeness and completely evaluated in less than 45 days. The contractor should be notified of the result of the application review within five days of the decision.

**Application Routing:** Applications should be submitted to the regional office in which the response contractor primarily operates. All contractors that may be listed in vessel plans should submit an application to headquarters.

Please see Figure 2-1 for addresses of the Ecology regional and headquarter offices.

**Application Completeness Checklist:** A checklist has been developed to facilitate evaluation of application completeness (see Appendix E). The application should be skimmed to ensure that all required sections are addressed, using the checklist as a reference. This is not a review, but merely a check that all requirements are addressed.

**Inspections:** On-site inspections should be done for all contractors before approval. However, this may not be possible to do in a timely fashion due to workload or other factors. In such cases, it would be possible to grant approval based on application review, with one term of approval being verification through a subsequent inspection. Priority listings for inspections could be made up by talking with the responders in the appropriate region, with priority going to new contractors or those with an unfavorable history in the region. Ideally, all contractors should be inspected during the 45 day review period, with post-review inspections only chosen if a delayed review will complicate contingency plan approval.

There are several objectives for a site inspection. The primary objective is to verify that the contractor has the equipment and personnel listed in their application. It is also a chance to verify training records, and to get a general feel for the operation. An inspection checklist can be found in Appendix E.

**Application Approval:** Once a contractor is approved, staff will endeavor to notify the contractor within five working days, as specified in WAC 173-181-096(3) and WAC 317-10-096(3). A letter will be sent stating the approval date, the expiration date, and explain application approval update requirements. The letter will be used by the contractor as documentation of compliance with the rule.

If the reviewer finds that the application is in good order but cannot get the inspection done inside the 45 day limit, an approval contingent on inspection could be issued. This would allow a company to function as a primary contractor until an inspection could be performed.

**Denial of Approval:** If the reviewer finds that the contractor cannot live up to their claims, either by misrepresentation of facts on the application, or failure to meet safety or training standards, the contractor can be denied approval. A letter will be sent within approximately five working days, and will state why approval was denied, explain any deficiencies, and explain the process for appeals and resubmittal.

**Appeals:** Contractors may appeal if application approval is denied. It is advantageous for Ecology and the contractor to work together to resolve the conflict if possible. However, contractors may decide to appeal approval decisions formally to the Pollution Control Hearings Board. PCHB procedures and deadlines can be found in WAC 371-08. RCW 43.211.110, which defines the jurisdiction of the PCHB, does not clearly address decisions on contractor approval. Therefore, it is possible that a contractor would appeal such a decision to superior court.

**Certificate Renewal:** Contractor approval is valid for two years. However, contractors are required to notify Ecology in writing within 24 hours of any significant changes in the information reported in the application, such as safety violations and a significant change in equipment ownership.

## **APPROVAL CRITERIA**

The rules state that primary contractors must be approved by Ecology before they can be listed in a facility or vessel contingency plan. Approval is viewed by the legislature as a way to insure that contractors could live up to their claims about response resources. It is also intended to help keep employee safety standards up to requirements. Subcontractors are not required to obtain approval. It is expected that the primary contractors will enforce a reasonable level of performance upon the subcontractors. The state also lacks the resources to review and inspect all of the possible subcontractors in Washington.

Up to three copies of the application should be submitted. One for each regional office that the contractor operates and one to headquarters if the contractor will be included in vessel contingency plans.

The information needed on the application is shown on the completeness checklist in Appendix E, and in the rules (WAC 173-181-092 & WAC 317-10-092). This information is needed to help determine the size and depth of the contractor's organization, particularly the availability of people and equipment available for timely response to large incidents. The safety history is primarily to encourage safe working conditions. The call out list should have the name, position title, phone number or other contact method (pager), and an alternate contact person for each person on 24 hour call.

A contractor approval application will be approved subject to the following standards from WAC 173-181-090 & WAC 317-10-090:

### **A) Equipment and Personnel Readiness:**

**"Equipment, equipment maintenance, and equipment and personnel deployment readiness must be verifiable by departmental inspection. Company records must account for any resources not on site at the time of an inspection. Approval of personnel readiness shall require capability of a one-hour call out time in which personnel must be able to begin mobilization of response efforts. Equipment readiness shall include being available and able to be deployed to a spill site without delay, not counting normal maintenance and repairs"**  
- WAC 173-181-090(2)(a) and WAC 317-10-090(2)(a)

The primary goal is that equipment and/or personnel will be available and ready to deploy with minimum delay. Mobilization does not have to include all the required equipment being activated. The intent of this requirement is to ensure that the first crews are dispatched and someone is working to fill any special requirements, such as wildlife rescue or salvage operations (which should be detailed in the facility plan). Maintenance schedules may vary from "clean and put away after use", to periodic battery charging, calibration, etc. Some items may need to have pre-use checkouts, which could extend the time it would take to mobilize that equipment.

The personnel description in the application should provide a clear picture of the human resources available to the contractor for spill response. It should include job descriptions and the number of personnel available to fill each. Typically, the same person may fill several job descriptions (e.g. backhoe operator, skimmer operator, and vacuum truck operator). This practice would be fine at a small event, but could cause trouble at a large spill if there were not enough people with a variety of skills. The application should also detail the training and experience of the personnel to ensure that personnel numbers accurately reflect the number of people capable of spill response.

Note that each application should provide detailed information on the contractor's equipment as stated in WAC 173-181-050(13) and WAC 317-10-050(13):



**"Each plan should list the type, quantity, age, location, maintenance schedule, and availability of equipment used during spill response, including equipment used for oil containment, recovery, storage, and removal, shoreline and adjacent lands cleanup, wildlife rescue and rehabilitation, and communication. For oil containment and recovery equipment, the plan also shall include equipment make and model, the manufacturer's nameplate capacity of the response equipment (in gallons per minute), and applicable design limits (e.g., maximum wave height capability, inland waters vs. open ocean)."**

This information is used in the statewide equipment inventory, which may be used to locate items needed at a major spill, so it should be accurate and complete. In terms of availability, consider how many clients share access to a piece of equipment and if there have been problems in the past when the equipment being used for one client's spill and therefore unavailable during the spill from another client.

#### B) Safety and Training Requirements:

**"Response personnel shall comply with all appropriate safety and training requirements listed in WAC 296-62-300. Training records may be audited for verification" - WAC 173-181-090(2)(b) and WAC 317-10-090(2)(b)**

In general, the standard requires that employees be trained to be competent. WAC 296-62-3040(1)(b) states that "Employees shall not be permitted to participate in or supervise field activities until they have been trained to a level required by their job function and responsibility".

Note: See Appendix I for WAC 296-62 Hazardous Waste and Emergency Response

Response personnel are required to have training amounting to (as of December 1998):

#### WAC 296-62-3040 – General Hazardous Waste Site Workers

- Workers in level C and D require a minimum of 40 hours of initial training, 3 days of initial supervised field experience and an annual 8 hours refresher.
- Workers in level A and B require a minimum of 80 hours of initial training, 3 days of initial supervised field experience and an annual 8 hours refresher.
- Management and Supervisors are required to have an additional 8 hours of supervisors training.

#### WAC 296-62-3112 – Emergency Response Workers

- Awareness Level – Witness or discover incident and call for help. Must have sufficient training or experience to objectively demonstrate competency in areas listed in 3112(6)(a).
- Operational Level – Initial responders who act in a defensive manner. Must have a minimum of 8 hours of training or experience to objectively demonstrate competency in the areas listed in 3112(6)(b).
- Technician Level – Enters the hot zone to "contain and control" the incident. Must have a minimum of 24 hours of training equal to the operational level and in addition enough training for the employer to certify competency in the areas listed in 3112(6)(c).
- Specialist Level – Supports technicians, possess specific knowledge and may act as a site liaison. Must have a minimum of 24 hours of training equal to the technician level and in addition enough training for the employer to certify competency in the areas listed in 3112(6)(d).
- Skilled Support Personnel – Operates certain equipment (cranes, earthmovers, etc.) needed temporarily to perform immediate support. These workers must receive initial briefing in accordance to 3112(4).
- On Scene Incident Commander – Assumes control of the incident response. Must have a minimum of 24 hours of training equal to the operational level and in addition enough training for the employer to certify competency in the areas listed in 3112(6)(e).

The employer should enroll cleanup workers in a medical monitoring program. The primary feature of this is a medical exam every 12 months or as recommended by the attending physician. The medical work done is driven by

the physician's recommendations. There is also a recordkeeping requirement. The employer must keep a record of the name and social security number of the employee, a copy of the physician's report, and a copy of the information that the physician was provided with concerning the employee's level of exposure.

There is an 8 hour class to train workers to perform post-emergency cleanup tasks. These workers have minimal training in chemical hazards, most of the course involves industrial safety. Workers with this level of training are typically used for "low risk" jobs where there is no requirement for respiratory protection, such as long-term beach cleanup, wildlife handling, and sorbent distribution and pickup. Details of the requirements and training for this class of worker can be found in WISHA Regional Directive 91-1.

Details on injuries and accidents can be taken from the contractor safety history.

#### C) Safety History:

**"Determination of an acceptable safety history by review of pertinent records on a case-by-case, best-professional-judgement basis. Lack of a safety history will not be grounds for denying approval" - WAC 173-181-090(2)(c) and WAC 317-10-090(2)(c).**

If the rate of accidents is fairly level, without peaks and valleys, it is a good sign that the contractor's safety program is controlling sporadic accidents. If more detailed accounts of any accidents is desired, a Washington State L&I injury report can be requested. This report contains detailed accounts of the incident by both the company and the injured worker.

An "acceptable" safety history would typically be an accident rate of about 10% or less and few WISHA citations, again an improvement over several years is a good sign. These guidelines are not concrete. For example, a generally good contractor could have gotten in some trouble and be slightly outside the guidelines without necessarily being inappropriate for approval. If the principals of the company had a different cleanup business in the last five years, that safety history should be included in the application and evaluation also.

# Chapter 173-181 WAC

## FACILITY CONTINGENCY PLAN AND RESPONSE CONTRACTOR STANDARDS

### WAC

173-181-010	Purpose.
173-181-020	Authority.
173-181-030	Definitions.
173-181-035	Applicability.
173-181-040	Plan preparation.
173-181-045	Plan format requirements.
173-181-050	Plan content requirements.
173-181-060	Plan submittal.
173-181-065	Plan review.
173-181-070	Drills and inspections.
173-181-075	Plan maintenance and use.
173-181-080	Plan update timeline.
173-181-085	Noncompliance with plan requirements.
173-181-090	Contractor standards.
173-181-092	Contractor approval information required.
173-181-094	Submittal of contractor approval applications.
173-181-096	Contractor application review.
173-181-098	Severability.

**WAC 173-181-010 Purpose.** The purpose of this chapter is to establish onshore and offshore facility oil spill contingency plan requirements and response contractor standards which, when followed, will:

(1) Maximize the effectiveness and timeliness of oil spill response by responsible parties and response contractors;

(2) Ensure readiness of equipment and personnel;

(3) Support coordination with state, federal, and other contingency plans; and

(4) Provide improved protection of Washington waters and natural resources from the impacts of oil spills. [Statutory Authority: RCW 90.48.035. 91-22-087 (Order 91-12), § 173-181-010, filed 11/5/91, effective 12/6/91.]

**WAC 173-181-020 Authority.** RCW 90.48.371, 90.48.372, 90.48.373, 90.48.374, 90.48.375, 90.48.376, 90.48.377, and 90.48.380, as recodified by section 1115, chapter 200, Laws of 1991, provide statutory authority for the contingency plan preparation and review requirements and response contractor standards established by this chapter. [Statutory Authority: RCW 90.48.035. 91-22-087 (Order 91-12), § 173-181-020, filed 11/5/91, effective 12/6/91.]

**WAC 173-181-030 Definitions.** (1) "Average efficiency factor" means a factor used to estimate limitations of equipment efficiency from variables such as sea state, current velocity, or visibility.

(2) "Best achievable technology" means the technology that provides the greatest degree of protection, taking into consideration processes that are developed, or could feasibly be developed given overall reasonable expenditures on research and development, and processes

that are currently in use. In determining what is best achievable technology, the director shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(3) "Board" means the pollution control hearings board.

(4) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(5) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, of greater than three hundred or more gross tons, including but not limited to commercial fish processing vessels and freighters.

(6) "Department" means the state of Washington department of ecology.

(7) "Director" means the director of the state of Washington department of ecology.

(8) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(9)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that (both):

(i) Transfers oil in bulk to or from a tank vessel or pipeline; and

(ii) Is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) A facility does not include any:

(i) Railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state;

(ii) Underground storage tank regulated by the department or a local government under chapter 90.76 RCW;

(iii) Motor vehicle motor fuel outlet;

(iv) Facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; or

(v) Marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a tank vessel, cargo vessel, or passenger vessel, in a single transaction.

(10) "Gross ton" means a vessel's approximate volume as defined under Title 46, United States Code of Federal Regulations, Part 69.

(11) "Interim storage site" means a site used to temporarily-store recovered oil or oily waste until the recovered oil or oily waste is disposed of at a permanent disposal site. Interim storage sites include trucks, barges, and other vehicles used to store recovered oil or oily waste until transport begins.

(12) "Liquefied petroleum gas" means petroleum gas converted to a liquid state by pressure and cooling, including but not limited to natural gas, butane, and propane.

(13) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

(14) "Maximum extent practicable" means the highest level of effectiveness that can be achieved through staffing levels, training procedures, and best achievable technology. In determining what is the maximum extent practicable, the director shall consider the effectiveness, engineering feasibility, commercial availability, safety, and the cost of the measures.

(15) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(16) "Offshore facility" means any facility, as defined in subsection (9) of this section, located in, on, or under any of the navigable waters of the state, but does not include a facility, any part of which is located in, on, or under any land of the state, other than submerged land.

(17) "Oil" or "oils" means naturally occurring liquid hydrocarbons at atmospheric temperature and pressure coming from the earth, including condensate and natural gasoline, and any fractionation thereof, including, but not limited to, crude oil, petroleum, gasoline, fuel oil, diesel oil, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section 101(14) of the Federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by P.L. 99-499.

(18) "Oily waste" means oil contaminated waste resulting from an oil spill or oil spill response operations.

(19) "Onshore facility" means any facility, as defined in subsection (9) of this section, any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(20)(a) "Owner or operator" means:

(i) In the case of an onshore or offshore facility, any person owning or operating the facility; and

(ii) In the case of an abandoned onshore or offshore facility, the person who owned or operated the facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(21) "Passenger vessel" means a ship of greater than three hundred or more gross tons or five hundred or more international gross tons carrying passengers for compensation.

(22) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual or any other entity whatsoever.

(23) "Pipeline" means, for the purposes of subsection (9)(a)(i) of this section, a pipeline connected to a marine facility, and not owned or operated by the facility referred to in subsection (9)(a) of this section.

(24) "Plan" means oil spill response, cleanup, and disposal contingency plan.

(25) "Primary response contractor" means a response contractor that is directly responsible to a contingency plan holder, either by a contract or written agreement.

(26) "Response contractor" means an individual, organization, association, or cooperative that provides or intends to provide equipment and/or personnel for oil spill containment, cleanup, and/or removal activities.

(27) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(28) "Spill" means an unauthorized discharge of oil which enters waters of the state.

(29) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(30) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(31) "Worst case spill" means:

(a) For an offshore facility, the largest possible spill considering storage, production, and transfer capacity complicated by adverse weather conditions (during which wind, reduced visibility, and sea state hinder but do not preclude normal response operations); or

(b) For an onshore facility, the entire volume of the largest above ground storage tank on the facility site complicated by adverse weather conditions (during which wind, reduced visibility, and sea state hinder but do not preclude normal response operations), unless the department determines that a larger volume is more appropriate given a particular facility's site characteristics and storage, production, and transfer capacity. [Statutory Authority: RCW 90.48.035. 91-22-087 (Order 91-12), § 173-181-030, filed 11/5/91, effective 12/6/91.]

**WAC 173-181-035 Applicability.** (1) Oil spill response, cleanup, and disposal contingency plans must be prepared, submitted, and used pursuant to requirements in this chapter, for onshore and offshore facilities.

(2) Federal plans required under 33 C.F.R. 154, 40 C.F.R. 109, 40 C.F.R. 110, or the Federal Oil Pollution Act of 1990 may be submitted to satisfy plan requirements under this chapter if the department deems that such federal requirements possess approval criteria which equal or exceed those of the department.

(3) Response contractors must be approved by the department before they may serve as primary response contractors for an onshore or offshore facility contingency plan.

(4) For those sections of contingency plans which address liquified petroleum gases, the department may excuse plan holders from meeting requirements in this chapter that are not applicable to spill response for liquified petroleum gases due to their physical properties. [Statutory Authority: RCW 90.48.035. 91-22-087 (Order 91-12), § 173-181-035, filed 11/5/91, effective 12/6/91.]

**WAC 173-181-040 Plan preparation.** (1) Each onshore and offshore facility shall prepare a contingency plan for the containment and cleanup of oil spills from the facility into the waters of the state, and for the protection of fisheries and wildlife, other natural resources, and public or private property from such spills.

(2) Plans shall be in a form usable for oil spill control, containment, cleanup, and disposal operations and shall be capable of being located according to requirements in WAC 173-181-075.

(3) Plans shall be thorough and contain enough information, analyses, supporting data, and documentation to demonstrate the plan holder's ability to meet the requirements of this chapter.

(4) Plans shall be designed to be capable to the maximum extent practicable, when implemented, of promptly and properly removing oil and minimizing environmental damage from a variety of spill sizes, including small chronic spills, and worst case spills. At a minimum, plans shall meet the criteria specified in WAC 173-181-045 and 173-181-050; criteria are presented in suggested but not requisite order. [Statutory Authority: RCW 90.48.035. 91-22-087 (Order 91-12), § 173-181-040, filed 11/5/91, effective 12/6/91.]

**WAC 173-181-045 Plan format requirements.** (1) Plans shall be prepared using a combined narrative and graphic format which facilitates both the study of detailed spill response information and quick access to general information given emergency information needs and time constraints.

(2) Plans shall be divided into a system of chapters and appendices. Chapters and sections shall be numbered. Chapters should be reserved primarily for information on emergency response and cleanup operations, such as notification procedures or description of the spill response organization structure. Appendices should be used primarily for supplemental background and documentation information, such as response scenarios or description of drills and exercises.

(3) A system of index tabs shall be used to provide easy reference to particular chapters or appendices.

(4) Plans shall be formatted to allow replacement of chapter or appendix pages with revisions without requiring replacement of the entire plan.

(5) A simplified field document suitable for on-site use in the event of a spill and summarizing key notification and action elements of the plan shall also be prepared and submitted as part of the plan.

(6) Computerized plans may be submitted to the department in addition to a hard copy. Computerized plans, accompanied by a hard copy, may be used to meet the requirements of WAC 173-181-075. [Statutory Authority: RCW 90.48.035. 91-22-087 (Order 91-12), § 173-181-045, filed 11/5/91, effective 12/6/91.]

**WAC 173-181-050 Plan content requirements.** (1) Each plan shall contain a submittal agreement which:

(a) Includes the name, address, and phone number of the submitting party;

(b) Verifies acceptance of the plan, including any incorporated contingency plans, by the owner or operator of the facility by either signature of the owner or operator or signature by a person with authority to bind the corporation which owns such facility;

(c) Commits execution of the plan, including any incorporated contingency plans, by the owner or operator of the facility, and verifies authority for the plan holder to make appropriate expenditures in order to execute plan provisions; and

(d) Includes the name, location, and address of the facility, type of facility, starting date of operations, types of oil(s) handled, and oil volume capacity.

(2) Each plan shall include a log sheet to record amendments to the plan. The log sheet shall be placed at the front of the plan. The log sheet shall provide for a record of the section amended, the date that the old section was replaced with the amended section, verification that the department was notified of the amendment pursuant to WAC 173-181-080(3), and the initials of the individual making the change. A description of the amendment and its purpose shall also be included in the log sheet, or filed in the form of an amendment letter immediately after the log sheet.

(3) Each plan shall include a detailed table of contents based on chapter, section, and appendix numbers and titles, as well as tables and figures.

(4) Each plan shall describe the purpose and scope of that plan, including:

(a) The geographic area covered by the plan;

(b) The onshore facility or offshore facility operations covered by the plan; and

(c) The size of the worst case spill from the facility.

(5) Each plan shall describe the procedures and time periods corresponding to updates of the plan and distribution of the plan and updates to affected and interested parties.

(6) Each plan shall present a strategy to ensure use of the plan for spill response and cleanup operations pursuant to requirements in WAC 173-181-075.

(7) Each plan shall describe the organization of the spill response system, including all task assignments addressed by requirements of this section. This description shall identify the role of an incident commander or primary spill response manager, who shall possess the lead authority in spill response and cleanup decisions. The

plan shall describe how a smooth transfer of the incident commander or primary spill response manager position between individuals will be accomplished. An organizational diagram depicting the chain of command shall also be included.

(8)(a) For each primary response contractor which a plan holder may or does rely on to perform or supplement its response operations within the geographic area covered by the plan, the plan shall state that contractor's name, address, phone number, or other means of contact at any time of the day, and response capability (e.g., land spills only). For each primary response contractor, the plan shall include a letter of intent signed by the primary response contractor which indicates the contractor's willingness to respond. Copies of written contracts or agreements with primary response contractors shall be available for inspection, if requested by the department.

(b) If a plan holder is a member of an oil spill response cooperative and relies on that cooperative to perform or supplement its response operations within the geographic area covered by the plan, the plan shall state the cooperative's name, address, phone number, and response capability. The plan shall also include proof of cooperative membership.

(c) Plans which rely on primary response contractors shall rely only on primary response contractors approved by the department under WAC 173-181-090.

(9) Each plan shall briefly describe its relation to all applicable local, state, regional, and federal government response plans. Plans shall address how the plan holder's response organization will be coordinated with an incident command system utilized by state and federal authorities.

(10) Each plan shall list procedures which will be used to detect and document the presence and size of a spill, including methods which are effective during low visibility conditions. In addition, the plan shall describe the use, if any, of mechanical or electronic monitoring or alarm systems (including threshold sensitivities) used to detect oil discharges into adjacent land or water from tanks, pipes, manifolds, and other transfer or storage equipment.

(11) Each plan shall describe procedures which will be taken to immediately notify appropriate parties that a spill has occurred.

(a) The plan holder shall maintain a notification call out list which shall be available if requested by the department for inspection, and which:

(i) Provides a contact at any time of the day for all spill response personnel identified under subsection (7) of this section, including the contact's name, position title, phone number or other means of contact for any time of the day, and an alternate contact in the event the individual is unavailable;

(ii) Lists the name and phone number of all government agencies which must be notified in the event of an oil spill pursuant to requirements under RCW 90.48.360 as recodified by section 1115, chapter 200, Laws of 1991, and other state and federal requirements; and

(iii) Establishes a clear order of priority for immediate notification;

(b) The plan shall identify a central reporting officer or individual who is responsible for implementing the call out process; and

(c) The plan shall utilize a system of categorizing incident type and severity. Plan holders are encouraged to utilize the system established by the department in the Washington state-wide master oil and hazardous substance spill contingency plan as developed pursuant to RCW 90.48.378 as recodified by section 1115, chapter 200, Laws of 1991.

(12) Each plan shall describe the personnel (including contract personnel) available to respond to an oil spill, including:

(a) A job description for each type of spill response position needed as indicated in the spill response organization scheme addressed in subsection (7) of this section;

(b) The number of personnel available to perform each type of spill response position;

(c) Arrangements for prepositioning personnel at strategic locations which will meet criteria pursuant to WAC 173-181-065 (3)(d);

(d) The type and frequency of spill response operations and safety training that each individual in a spill response position receives to attain the level of qualification demanded by their job description; and

(e) The procedures, if any, to train and use volunteers willing to assist in spill response operations. Volunteer procedures for wildlife rescue shall comply with rules adopted by the Washington department of wildlife.

(13)(a) Each plan shall list the type, quantity, age, location, maintenance schedule, and availability of equipment used during spill response, including equipment used for oil containment, recovery, storage, and removal, shoreline and adjacent lands cleanup, wildlife rescue and rehabilitation, and communication.

(b) For equipment listed under (a) of this subsection that is not owned by or available exclusively to the plan holder, the plan shall also estimate the extent to which other contingency plans rely on that same equipment.

(c) For oil containment and recovery equipment, the plan also shall include equipment make and model, and the manufacturer's nameplate capacity of the response equipment (in gallons per minute), and applicable design limits (e.g., maximum wave height capability; inland waters vs. open ocean).

(d) Based on information described in (c) of this subsection, the plan shall state the maximum amount of oil which could be recovered per twenty-four-hour period.

(e) For purposes of determining plan adequacy under WAC 173-181-065, and to assess realistic capabilities based on potential limitations by weather, sea state, and other variables, the data presented in (c) and (d) of this subsection will be multiplied by an average efficiency factor of twenty percent. The department will apply a higher efficiency factor for equipment listed in a plan if that plan holder provides adequate evidence that higher efficiency factor is warranted for particular equipment. The department may assign a lower efficiency factor to particular equipment listed in a plan if it

determines that the performance of that equipment warrants such a reduction.

(f) The plan shall provide arrangements for prepositioning of oil spill response equipment at strategic locations which will meet criteria pursuant to WAC 173-181-065 (3)(d).

(14) Each plan shall describe the communication system used for spill notification and response operations, including:

- (a) Communication procedures;
- (b) The communication function (e.g., ground-to-air) assigned to each channel or frequency used; and
- (c) The maximum geographic range for each channel or frequency used.

(15) Each plan shall describe the process to establish sites needed for spill response operations, including location or location criteria for:

- (a) A central command post;
- (b) A central communications post if located away from the command post; and
- (c) Equipment and personnel staging areas.

(16)(a) Each plan shall present a flowchart or decision tree describing the procession of each major stage of spill response operations from spill discovery to completion of cleanup. The flowchart or decision tree shall describe the general order and priority in which key spill response activities are performed.

(b) Each plan shall describe all key spill response operations in checklist form, to be used by spill response managers in the event of an oil spill.

(17)(a) Each plan shall list the local, state, and other government authorities responsible for the emergency procedures peripheral to spill containment and cleanup, including:

- (i) Procedures to control fires and explosions, and to rescue people or property threatened by fire or explosion;
- (ii) Procedures to control ground and air traffic which may interfere with spill response operations; and
- (iii) Procedures to manage access to the spill response site.

(b) Each plan shall describe the plan holder's role in these emergency operation procedures prior to the arrival of proper authorities.

(18) Each plan shall describe equipment and procedures to be used by the facility personnel to minimize the magnitude of the spill and minimize structural damage which may increase the quantity of oil spilled. Damage control procedures shall include methods to slow or stop pipeline, storage tank, and other leaks, and methods to achieve immediate emergency shutdown.

(19) Each plan shall describe, in detail, methods to contain spilled oil and remove it from the environment. Methods shall describe deployment of equipment and personnel, using diagrams or other visual aids when possible. Response methods covered must include:

- (a) Surveillance methods used to detect and track the extent and movement of the spill;
- (b) Methods to contain and remove oil in offshore waters;

(c) Methods to contain and remove oil in near-shore waters, including shoreline protection procedures and oil diversion/pooling procedures; and

(d) Methods to contain and remove oil, including surface oil, subsurface oil, and oiled debris and vegetation, from a variety of shoreline, adjacent land, and beach types.

(20) Each plan shall briefly describe initial equipment and personnel deployment activities which will accomplish the response standard listed in WAC 173-181-065 (3)(d), and provide an estimate of the actual execution time.

(21) If the plan holder will use dispersants, coagulants, bioremediants, or other chemical agents for response operations, conditions permitting, the plan shall describe:

- (a) Type and toxicity of chemicals;
- (b) Under what conditions they will be applied in conformance with all applicable local, state, and federal requirements, including the state-wide master oil and hazardous substance spill contingency plan;
- (c) Methods of deployment; and
- (d) Location and accessibility of supplies and deployment equipment.

(22) If the plan holder will use in-situ burning for response operations, conditions permitting, the plan shall describe:

- (a) Type of burning operations;
- (b) Under what conditions burning will be applied in conformance with all applicable local, state, and federal requirements, including the state-wide master oil and hazardous substance spill contingency plan;
- (c) Methods of application; and
- (d) Location and accessibility of supplies and deployment equipment.

(23) Each plan shall describe how environmental protection will be achieved, including:

- (a) Protection of sensitive shoreline and island habitat by diverting or blocking oil movement;
- (b) Priorities for sensitive area protection in the geographic area covered by the plan as designated by the department in environmentally sensitive area maps referenced in the state-wide master oil and hazardous substance spill contingency plan;
- (c) Rescue and rehabilitation of birds, marine mammals, and other wildlife contaminated or otherwise affected by the oil spill in compliance with rules adopted by the Washington department of wildlife; and
- (d) Measures taken to reduce damages to the environment caused by shoreline and adjacent land cleanup operations, such as impacts to sensitive shoreline habitat by heavy machinery.

(24)(a) Each plan shall describe site criteria and methods used for interim storage of oil recovered and oily wastes generated during response and cleanup operations, including sites available within the facility. Interim storage methods and sites shall be designed to prevent contamination by recovered oil and oily wastes.

(b) If use of interim storage sites will require approval by local, state, or federal officials, the plan shall include information which could expedite the approval process,



including a list of appropriate contacts and a brief description of procedures to follow for each applicable approval process.

(c) Each plan shall describe methods and sites used for permanent disposal of oil recovered and oily wastes generated during response and cleanup operations.

(d) Interim storage and permanent disposal methods and sites shall be sufficient to keep up with oil recovery operations and handle the entire volume of oil recovered and oily wastes generated.

(e) Interim storage and permanent disposal methods and sites shall comply with all applicable local, state, and federal requirements.

(25) Each plan shall describe procedures to protect the health and safety of oil spill response workers, volunteers, and other individuals on-site. Provisions for training, decontamination facilities, safety gear, and a safety officer position shall be addressed.

(26) Each plan shall explain post-spill review procedures, including methods to review both the effectiveness of the plan and the need for plan amendments. Post-spill procedures shall provide for a debrief of the department.

(27)(a) Each plan shall describe the schedule and type of drills and other exercises which will be practiced to ensure readiness of the plan elements, including drills which satisfy WAC 173-181-070(3).

(b) Tests of internal call out procedures shall be performed at least once every ninety calendar days and documented by the plan holder. Such tests are only required to involve notification, not actual deployment.

(28) Unless the plan holder has received approval for a prevention plan submitted pursuant to chapter 200, Laws of 1991, each onshore facility and offshore facility plan shall describe measures taken to reduce the likelihood that a spill will occur which exceed or are not covered by existing state and federal requirements, including:

(a) Type and frequency of personnel training on methods to minimize operational risks;

(b) Methods to ensure equipment integrity, including inspection and maintenance schedules;

(c) Methods to reduce spills during transfer operations, including overfill prevention; and

(d) Secondary containment for tanks, pipes, manifolds, or other structures used for storage or movement of oil other than liquefied petroleum gases.

(29) Each facility plan shall list the spill risk variables within the geographic area covered by the plan, including:

(a) Types, physical properties, and amounts of oil handled;

(b) A written description and map indicating site topography, storm water and other drainage systems, mooring areas, pipelines, tanks, and other oil processing, storage, and transfer sites and operations; and

(c) A written description of sites or operations with a history of or high potential for oil spills.

(30) Each plan shall list the environmental variables within the geographic area covered by the plan, including:

(a) Natural resources, including coastal and aquatic habitat types and sensitivity by season, breeding site presence of state or federally listed endangered or threatened species, and presence of commercial and recreational species (environmental variable information may be obtained directly from environmentally sensitive area maps referenced in the state-wide master oil and hazardous substance spill contingency plan);

(b) Public resources, including public beaches, water intakes, drinking water supplies, and marinas;

(c) Seasonal hydrographic and climatic conditions; and

(d) Physical geographic features, including relative isolation of coastal regions, beach types, and other geological characteristics.

(31) Each plan shall list the logistical resources within the geographic area covered by the plan, including:

(a) Facilities for fire services, medical services, and accommodations; and

(b) Shoreline access areas, including boat launches.

(32)(a) Each plan shall describe detailed, plausible, step-by-step response scenarios for:

(i) A small oil spill less than five hundred gallons; and

(ii) A worst case spill as described in the plan pursuant to subsection (4)(c) of this section.

(b) Each scenario description shall include:

(i) The circumstances surrounding the spill, including size, type, location, climatic and hydrographic conditions, time, and cause;

(ii) An estimate of oil movement during the first seventy-two hours, including likely shoreline contact points, and

(iii) Estimates of response time and percent recovery for each major phase of operations.

(c) If a plan applies to multiple facilities, each scenario description shall discuss implementation of the plan in the event of simultaneous separate spills.

(33) Each plan shall include a glossary of technical terms and abbreviations used in the plan. [Statutory Authority: RCW 90.48.035, 91-22-087 (Order 91-12), § 173-181-050, filed 11/5/91, effective 12/6/91.]

**WAC 173-181-060 Plan submittal.** (1)(a) Plans for onshore facilities capable of storing one million gallons or more of oil, and offshore facilities shall be submitted to the department within six months after adoption of this chapter.

(b) All other onshore facilities shall submit plans to the department by January 1, 1993.

(2) Any onshore or offshore facility that first begins operating after the above deadlines shall submit a plan to the department at least sixty-five calendar days prior to the beginning of operations.

(3) Three copies of the plan and appendices shall be delivered to:

Spill Management Section,  
Contingency Plan Review  
Washington Department of Ecology  
PV-11  
P.O. Box 47600  
Olympia, WA 98504-7600



(4) Onshore and offshore facility plans may be submitted by:

- (a) The facility owner or operator; or
- (b) A primary response contractor approved by the department pursuant to WAC 173-181-090, in conformance with requirements under WAC 173-181-050(1).

(5) A single plan may be submitted for more than one facility, provided that the plan contents meet the requirements in this chapter for each facility listed.

(6) The plan submitter may request that proprietary information be kept confidential under RCW 43.21B.160. [Statutory Authority: RCW 90.48.035. 91-22-087 (Order 91-12), § 173-181-060, filed 11/5/91, effective 12/6/91.]

**WAC 173-181-065 Plan review.** (1) The department shall endeavor to review each plan in sixty-five calendar days. Upon receipt of a plan, the department shall evaluate promptly whether the plan is incomplete. If the department determines that a plan is incomplete, the submitter shall be notified of deficiencies. The review period shall not begin until the department receives a complete plan.

(2) The department shall regularly notify interested parties of any contingency plans which are under review by the department, and make plans available for review to all department programs, other state, local, and federal agencies, and the public. The department shall accept comments from these interested parties on the plan during the first thirty calendar days of review by the department.

(3) A plan shall be approved if, in addition to meeting criteria in WAC 173-181-045 and 173-181-050, it demonstrates that when implemented, it can:

- (a) To the maximum extent practicable, provide for prompt and proper response to and cleanup of a variety of spills, including small chronic spills, and worst case spills;
- (b) To the maximum extent practicable, provide for prompt and proper protection of the environment from oil spills;
- (c) Provide for immediate notification and mobilization of resources upon discovery of a spill;
- (d) Provide for initial deployment of response equipment and personnel at the site of the spill within one hour of the plan holder's awareness that a spill has occurred given suitable safety conditions; and
- (e) Use as primary response contractors, only those response contractors approved by the department pursuant to WAC 173-181-090.

(4) When reviewing plans, the department shall, in addition to the above criteria, consider the following:

- (a) The volume and type of oil(s) addressed by the plan;
- (b) The history and circumstances of prior spills by similar types of facilities, including spill reports by department on-scene coordinators;
- (c) The presence of operating hazards;
- (d) The sensitivity and value of natural resources within the geographic area covered by the plan;

(e) Any pertinent local, state, federal agency, or public comments received on the plan;

(f) The extent to which reasonable, cost-effective spill prevention measures have been incorporated into the plan.

(5) The department may approve a plan without a full review as per provisions of this section if that plan has been approved by a federal agency or other state which the department has deemed to possess approval criteria which equal or exceed those of the department.

(6) The department shall prepare a manual to aid department staff responsible for plan review. This manual shall be made available to provide guidance for plan preparers. While the manual will be used as a tool to conduct review of a plan, the department will not be bound by the contents of the manual.

(7) The department shall endeavor to notify the facility owner or operator within five working days after the review is completed whether the plan has been approved.

(a) If the plan receives approval, the facility owner or operator shall receive a certificate of approval describing the terms of approval, including expiration dates.

(b)(i) The department may approve a plan conditionally by requiring a facility owner or operator to operate with specific precautionary measures until unacceptable components of the plan are resubmitted and approved.

(ii) Precautionary measures may include, but are not limited to, reducing oil transfer rates, increasing personnel levels, or restricting operations to daylight hours. Precautionary measures may also include additional requirements to ensure availability of response equipment.

(iii) A plan holder shall have thirty calendar days after the department gives notification of conditional status to submit and implement required changes to the department, with the option for an extension at the department's discretion. Plan holders who fail to meet conditional requirements or provide required changes in the time allowed shall lose conditional approval status.

(c) If plan approval is denied, the facility owner or operator shall receive an explanation of the factors for disapproval and a list of actions to be taken to gain approval. The facility shall not continue oil storage, transfer, production, or other operations until a plan for that facility has been approved.

(d) A plan holder may appeal the department's decision under WAC 173-04-010.

(e) If a plan holder demonstrates an inability to comply with an approved contingency plan or otherwise fails to comply with requirements of this chapter, the department may, at its discretion:

- (i) Place conditions on approval pursuant to (b) of this subsection; or
- (ii) Revoke its approval pursuant to (c) of this subsection.

(f) Approval of a plan by the department does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under state law.

(8) The department shall work with the office of marine safety to ensure that no duplication of regulatory responsibilities occurs in the review of contingency plans

from marine facilities. [Statutory Authority: RCW 90.48.035. 91-22-087 (Order 91-12), § 173-181-065, filed 11/5/91, effective 12/6/91.]

**WAC 173-181-070 Drills and inspections.** (1) For the purpose of determining plan adequacy, the department may require a plan holder to participate in one unannounced full deployment drill annually. The department shall choose plan holders for such drills through a random process.

(2) The department may require a plan holder to participate in one announced, limited deployment drill annually. The department shall choose plan holders for such drills through a random process.

(3) Requirements under subsections (1) and (2) of this section may be met:

(a) By drills led by other state, local, or federal authorities if the department finds that the criteria for drill execution and review equal or exceed those of the department;

(b) By drills initiated by the plan holder, if the department is involved in participation, review, and evaluation of the drill, and if the department finds that the drill adequately tests the plan; and

(c) By responses to actual spill events, if the department is involved in participation, review, and evaluation of the spill response, and if the department finds that the spill event adequately tests the plan.

(4) The department may excuse a primary response contractor from full deployment participation in more than one drill, if in the past twelve months, the primary response contractor has performed to the department's satisfaction in a full deployment drill or an exercise listed in subsection (3) of this section.

(5) The department shall review the degree to which the specifications of the plan are implemented during the drill. The department shall endeavor to notify the facility owner or operator of the review results within thirty calendar days following the drill. If the department finds deficiencies in the plan, the department shall report those deficiencies to the plan holder and require the plan holder to make specific amendments to the plan pursuant to requirements in WAC 173-181-080.

(6) The department shall publish an annual report on plan drills, including a summary of response times, actual equipment and personnel use, recommendations for plan requirement changes, and industry response to those recommendations.

(7) The department may require the facility owner or operator to participate in additional drills beyond those required in subsections (1) and (2) of this section if the department is not satisfied with the adequacy of the plan during exercises or spill response events.

(8) The department may verify compliance with this chapter by unannounced inspections in accordance with RCW 90.48.090. [Statutory Authority: RCW 90.48.035. 91-22-087 (Order 91-12), § 173-181-070, filed 11/5/91, effective 12/6/91.]

**WAC 173-181-075 Plan maintenance and use.** (1) At least one copy of the plan shall be kept in a central

location accessible at any time by the incident commander or spill response manager named in accordance with WAC 173-181-050(7). Each facility covered by the plan shall possess a copy of the plan and keep it in a conspicuous and accessible location.

(2) A field document prepared under WAC 173-181-045(5) shall be available to all appropriate personnel.

(3) A facility owner or operator shall implement the plan in the event of a spill. The facility owner or operator must receive approval from the department before it conducts any major aspect of the spill response contrary to the plan unless:

(a) Such actions are necessary to protect human health and safety;

(b) Such actions must be performed immediately in response to unforeseen conditions to avoid additional environmental damage; or

(c) The plan holder has been directed to perform such actions by the department or the United States Coast Guard. [Statutory Authority: RCW 90.48.035. 91-22-087 (Order 91-12), § 173-181-075, filed 11/5/91, effective 12/6/91.]

**WAC 173-181-080 Plan update timeline.** (1) The department shall be notified in writing as soon as possible and within twenty-four hours of any significant change which could affect implementation of the plan, including a substantial decrease in available spill response equipment or personnel. The plan holder shall also provide a schedule for the prompt return of the plan to full operational status. A facsimile will be considered written notice for the purposes of this subsection. Changes which are not considered significant include minor variations in equipment or personnel characteristics, call out lists, or operating procedures. Failure to notify the department of significant changes shall be considered noncompliance with this chapter and subject to provisions of WAC 173-181-065 (7)(e).

(2) If the department finds that, as a result of the change, the plan no longer meets approval criteria pursuant to WAC 173-181-065, the department may, in its discretion, place conditions on approval or revoke approval in accordance with WAC 173-181-065 (7)(e). Plan holders are encouraged to maintain back-up response resources in order to ensure that their plans can always be fully implemented.

(3) Within thirty calendar days of an approved change, the facility owner or operator shall distribute the amended page(s) of the plan to the department and other plan holders.

(4) Plans shall be reviewed by the department every five years pursuant to WAC 173-181-065. Plans shall be submitted for reapproval unless the plan holder submits a letter requesting that the department review the plan already in the department's possession. The plan holder shall submit the plan or such a letter at least sixty-five calendar days in advance of the plan expiration date.

(5) The department may review a plan following a spill for which the plan holder is responsible. [Statutory

Authority: RCW 90.48.035. 91-22-087 (Order 91-12), § 173-181-080, filed 11/5/91, effective 12/6/91.]

**WAC 173-181-085 Noncompliance with plan requirements.** (1) Any violation of this chapter may be subject to the enforcement and penalty sanctions of RCW 90.48.376 as recodified by section 1115, chapter 200, Laws of 1991.

(2) The department may notify the secretary of state to suspend the business license of any onshore or offshore facility or other person that is in violation of this section. The department may assess a civil penalty of up to one hundred thousand dollars against any person who is in violation of this section. Each day that a facility or person is in violation of this section shall be considered a separate violation. [Statutory Authority: RCW 90.48.035. 91-22-087 (Order 91-12), § 173-181-085, filed 11/5/91, effective 12/6/91.]

**WAC 173-181-090 Contractor standards.** (1) Primary response contractors listed in an offshore or onshore facility contingency plan must be approved by the department. Response contractors which are listed in a contingency plan only as subcontractors to a primary response contractor do not have to be approved by the department.

(2) Primary response contractors shall be approved by the department subject to the following conditions:

(a) Equipment, equipment maintenance, and equipment and personnel deployment readiness must be verifiable by departmental inspection. Any resources not on site at the time of an inspection must be accounted for by company records. Approval of personnel readiness shall require capability of a one hour call out time in which personnel must be able to begin mobilization of response efforts. Equipment readiness shall include being available and able to be deployed to a spill site without delay, not counting normal maintenance and repairs;

(b) Response personnel shall comply with all appropriate safety and training requirements listed in WAC 296-62-300. Training records may be audited for verification; and

(c) Determination of an acceptable safety history by review of pertinent records on a case-by-case, best-professional-judgment basis. Lack of a safety history will not be grounds for denying approval.

(3) The department shall work with the office of marine safety to ensure that no duplication of regulatory responsibilities occurs in the review of primary response contractors. [Statutory Authority: RCW 90.48.035. 91-22-087 (Order 91-12), § 173-181-090, filed 11/5/91, effective 12/6/91.]

**WAC 173-181-092 Contractor approval information required.** To apply for approval, contractors shall submit the following items to the department:

(1) Contractor's name, UBI number, address, and phone number;

(2) Response capability, including geographic area of response coverage, with any exclusions;

(3) The types of oil and media (e.g., marine, fresh water, or land) to which the contractor is willing and able to respond;

(4) An organizational diagram depicting chain of command;

(5) A call out list as described in WAC 173-181-050 (11)(a)(i);

(6) A list of all response equipment and personnel pursuant to WAC 173-181-050 (12)(a), (b), and (d) and (13)(a) and (c); and

(7) A list of all OSHA/WISHA citations and reports, lost-time accidents, and accident claims related to oil spill response operations for the last five years. Any applicant with less than five years under their current business name or organization shall provide a listing of any oil spill response contract businesses owned or operated by the principals in the new company within the last five years, including a brief description of the companies and their safety history information listed above. [Statutory Authority: RCW 90.48.035. 91-22-087 (Order 91-12), § 173-181-092, filed 11/5/91, effective 12/6/91.]

**WAC 173-181-094 Submittal of contractor approval applications.** (1) Three copies of the contractor's approval application shall be delivered to:

Spill Management Section,  
Response Contractor Approval  
Washington Department of Ecology  
PV-11  
P.O. Box 47600  
Olympia, WA 98504-7600

(2) Applications may be submitted at any time after adoption of this chapter. If submitted with a contingency plan, the information required pursuant to WAC 173-181-092 shall be presented separately. [Statutory Authority: RCW 90.48.035. 91-22-087 (Order 91-12), § 173-181-094, filed 11/5/91, effective 12/6/91.]

**WAC 173-181-096 Contractor application review.** (1) The department shall endeavor to review each application for primary response contractor approval in forty-five calendar days. Upon receipt of an application, the department shall evaluate promptly whether the application is incomplete. If the department determines that an application is incomplete, the submitter shall be notified of deficiencies. The forty-five day review period shall begin when the application is complete.

(2) An application shall be approved if it meets the conditions specified in WAC 173-181-090.

(3) The department shall endeavor to notify the applicant that the application has been approved/not approved within five working days after the review is completed.

(a) If the application is approved, the contractor shall receive a certificate of approval describing the terms of approval, including expiration dates.

(b) If the application is not approved, the contractor shall receive an explanation of the factors for disapproval and a list of actions to be taken to gain approval.

The contractor may not act as a primary response contractor for a facility contingency plan until approved by the department.

(c) A contractor may appeal the department's decision under WAC 173-04-010.

(d) Approval of a response contractor by the department does not constitute an express assurance regarding the adequacy of the contractor nor constitute a defense to liability imposed under state law.

(4) Response contractor approvals shall be reviewed by the department every two years pursuant to WAC 173-181-094. Reapproval applications shall be submitted sixty calendar days in advance of the approval expiration date.

(5) An approved contractor shall notify the department in writing as soon as possible and within twenty-four hours of any significant change in the information reported in the approval application, such as a substantial change in equipment ownership. A facsimile received by the department will be considered written notice for the purposes of this subsection. Failure to notify the department may result in loss of approval status. Upon notification, the department may review the approval of the primary response contractor pursuant to this section. If the department determines that approval conditions are no longer met, approval may be withdrawn. [Statutory Authority: RCW 90.48.035. 91-22-087 (Order 91-12), § 173-181-096, filed 11/5/91, effective 12/6/91.]

**WAC 173-181-098 Severability.** If any provision of this chapter is held invalid, the remainder of the rule is not affected. [Statutory Authority: RCW 90.48.035. 91-22-087 (Order 91-12), § 173-181-098, filed 11/5/91, effective 12/6/91.]

**Washington Administrative Code (WAC)**

# **WAC 317-10**

## **VESSEL CONTINGENCY PLAN AND RESPONSE CONTRACTOR STANDARDS**

**JANUARY 1992**

The Office of Marine Safety (OMS) merged with the Department of Ecology July 1, 1997. Any reference to OMS is now referred to as Department of Ecology (Ecology).



WASHINGTON STATE  
Department of Ecology  
P.O. Box 47600  
Olympia, WA 98504-7600  
TEL: (360) 407-7455  
FAX: (360) 407-6042/7288

*Ecology is an equal opportunity employer.*

## **SUMMARY**

Washington Administrative Code (WAC) 317-10 establishes vessel oil spill contingency plan requirements and response contractor standards which, when followed, will: maximize the effectiveness and timeliness of oil spill response by responsible parties and response contractors; ensure readiness of equipment and personnel; support coordination with state, federal, and other contingency plans; and provide improved protection of Washington waters and natural resources from the impacts of oil spills.

## **AGENCY CONTACT**

Roy Robertson  
Department of Ecology  
Spills Program  
PO Box 47600  
Olympia, WA 98504-7600  
(360) 407-7202  
(360) 407-6042/7288 - fax

**VESSEL CONTINGENCY PLAN AND  
RESPONSE CONTRACTOR  
STANDARDS  
Chapter 317-10 WAC**

317-10-010	Purpose.....	2
317-10-020	Authority .....	2
317-10-030	Definitions .....	2
317-10-035	Applicability.....	6
317-10-040	Plan Preparation .....	6
317-10-045	Plan Format Requirements .....	7
317-10-050	Plan Content Requirements.....	7
317-10-060	Plan Submittal.....	17
317-10-065	Plan Review .....	19
317-10-070	Drills and Inspections .....	21
317-10-075	Plan Maintenance and Use.....	22
317-10-080	Plan Update Timeline.....	23
317-10-085	Noncompliance with Plan Requirements .....	24
317-10-090	Contractor Standards.....	24
317-10-092	Contractor Approval Information Required .....	25
317-10-094	Submittal of Contractor Approval Applications.....	25
317-10-096	Contractor Application Review.....	25
317-10-098	Severability .....	26





**WASHINGTON STATE OFFICE OF MARINE SAFETY**  
**Chapter 317-10 WAC**

**VESSEL CONTINGENCY PLAN AND RESPONSE CONTRACTOR STANDARDS**

**WAC 317-10-010 Purpose.** The purpose of this chapter is to establish vessel oil spill contingency plan requirements and response contractor standards which, when followed, will:

- 1) Maximize the effectiveness and timeliness of oil spill response by responsible parties and response contractors;
- 2) Ensure readiness of equipment and personnel;
- 3) Support coordination with state, federal, and other contingency plans; and
- 4) Provide improved protection of Washington waters and natural resources from the impacts of oil spills.

**WAC 317-10-020 Authority.** Part IV, Chapter 200, Laws of 1991, provides statutory authority for the contingency plan preparation and review requirements and response contractor standards established by this chapter.

**WAC 317-10-030 Definitions.**

- 1) "Administrator" means the administrator of the Washington Office of Marine Safety.
- 2) "Average efficiency factor" means a factor used to estimate limitations of equipment efficiency from variables such as sea state, current velocity, or visibility.
- 3) "Best achievable technology" means the technology that provides the greatest degree of protection, taking into consideration processes that are developed, or could feasibly be developed given overall reasonable expenditures on research and development, and processes that are currently in use. In determining what is best achievable technology, the administrator shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.
- 4) "Board" means the pollution control hearings board.

- 5) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.
- 6) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, of greater than three hundred or more gross tons, including but not limited to, commercial fish processing vessels and freighters.
- 7) "Columbia River" means the length of the Columbia River from its mouth at the Pacific Ocean to its confluence with the Snake River.
- 8) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.
- 9) "Department" means the state of Washington department of ecology.
- 10) "Deadweight ton" means the difference, in metric tons, between the lightweight displacement and the total displacement of a vessel, as defined under Title 46, United States Code of Federal Regulations, Part 30, Subpart 30.10.
- 11) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.
- 12)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that (both):
  - i. Transfers oil in bulk to or from a tank vessel or pipeline; and
  - ii. Is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

b) A facility does not include any:

  - i. Railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state;
  - ii. Underground storage tank regulated by the department or a local government under chapter 90.76 RCW;
  - iii. Motor vehicle motor fuel outlet;
  - iv. Facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; or
  - v. Marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a tank vessel, cargo vessel, or passenger vessel, in a single transaction.
- 13) "Gross ton" means a vessel's approximate volume as defined under Title 46, United States Code of Federal Regulations, Part 69.

- 14)"Interim storage site" means a site used to temporarily store recovered oil or oily waste until the recovered oil or oily waste is disposed of at a permanent disposal site. Interim storage sites include trucks, barges, and other vehicles used to store recovered oil or oily waste until transport begins.
- 15)"Liquefied petroleum gas" means petroleum gas converted to a liquid state by pressure and cooling, including but not limited to natural gas, butane, and propane.
- 16)"Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.
- 17)"Maximum extent practicable" means the highest level of effectiveness that can be achieved through staffing levels, training procedures, and best achievable technology. In determining what is the maximum extent practicable, the administrator shall consider the effectiveness, engineering feasibility, commercial availability, safety, and the cost of the measures.
- 18)"Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.
- 19)"Office" means the state of Washington office of marine safety.
- 20)"Oil" or "oils" means naturally occurring liquid hydrocarbons at atmospheric temperature and pressure coming from the earth, including condensate and natural gasoline, and any fractionation thereof, including, but not limited to, crude oil, petroleum, gasoline, fuel oil, diesel oil, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section 101(14) of the Federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by P.L. 99-499.
- 21)"Oily waste" means oil contaminated waste resulting from an oil spill or oil spill response operations.
- 22)"Owner or operator" means:
- a) In the case of a vessel, any person owning, operating, or chartering by demise, the vessel; or
  - b) In the case of an abandoned vessel, the person who owned or operated the vessel immediately before its abandonment.

- 23)"Passenger vessel" means a ship of greater than three hundred or more gross tons or five hundred or more international gross tons carrying passengers for compensation.
- 24)"Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever.
- 25)"Pipeline" means, for the purposes of subsection (12)(a)(i) of this section, a pipeline connected to a marine facility, and not owned or operated by the facility referred to in subsection (12)(a) of this section.
- 26)"Plan" means oil spill response, cleanup, and disposal contingency plan.
- 27)"Primary response contractor" means a response contractor that is directly responsible to a contingency plan holder, either by a contract or written agreement.
- 28)"Response contractor" means an individual, organization, association, or cooperative that provides or intends to provide equipment and/or personnel for oil spill containment, cleanup, and/or removal activities.
- 29)"Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.
- 30)"Spill" means an unauthorized discharge of oil which enters waters of the state.
- 31)"Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:
- a) Operates on the waters of the state; or
  - b) Transfers oil in a port or place subject to the jurisdiction of this state.
- 32)"Vessel type" means a general category of vessel based on form and function, such as tank barge, tanker, freighter, cruise ship, ferry, or fish-processing vessel.
- 33)"Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.
- 34)"Worst case spill" means a spill of the vessel's entire cargo and fuel complicated by adverse weather conditions (during which wind, reduced visibility, and sea state hinder but do not preclude normal response operations).

**WAC 317-10-035 Applicability.**

- 1) Oil spill response, cleanup, and disposal contingency plans must be prepared, submitted, and used, pursuant to requirements in this chapter, for:
  - a) Tank vessels; and
  - b) Cargo vessels and passenger vessels of three hundred or more gross tons operating on waters of the state.
- 2) Federal plans required under 33 C.F.R. 154, 40 C.F.R. 109, 40 C.F.R. 110, or the Federal Oil Pollution Act of 1990 may be submitted to satisfy plan requirements under this chapter if the office deems that such federal requirements possess approval criteria which equal or exceed those of the office.
- 3) Response contractors must be approved by the office before they may serve as primary response contractors for a vessel contingency plan.
- 4) For those sections of contingency plans which address liquefied petroleum gases, the office may excuse plan holders from meeting requirements in this chapter that are not applicable to spill response for liquefied petroleum gases due to their physical properties.

**WAC 317-10-040 Plan preparation.**

- 1) Each covered vessel shall prepare a contingency plan for the containment and cleanup of oil spills from the covered vessel into the waters of the state, and for the protection of fisheries and wildlife, other natural resources, and public or private property from such spills.
- 2) Plans shall be in a form usable for oil spill control, containment, cleanup, and disposal operations and shall be capable of being located according to requirements in WAC 317-10-075.
- 3) Plans shall be thorough and contain enough information, analyses, supporting data, and documentation to demonstrate the plan holder's ability to meet the requirements of this chapter.
- 4) Plans shall be designed to be capable to the maximum extent practicable, when implemented, of promptly and properly removing oil and minimizing environmental damage from a variety of spill sizes, including small chronic spills, and worst case spills. At a minimum, plans shall meet the criteria specified in WAC 317-10-045 and 317-10-050; criteria are presented in suggested but not requisite order.

**WAC 317-10-045 Plan format requirements.**

- 1) Plans shall be prepared using a combined narrative and graphic format which facilitates both the study of detailed spill response information and quick access to general information given emergency information needs and time constraints.
- 2) Plans shall be divided into a system of chapters and appendices. Chapters and sections shall be numbered. Chapters should be reserved primarily for information on emergency response and cleanup operations, such as notification procedures or description of the spill response organization structure. Appendices should be used primarily for supplemental background and documentation information, such as response scenarios or description of drills and exercises.
- 3) A system of index tabs shall be used to provide easy reference to particular chapters or appendices.
- 4) Plans shall be formatted to allow replacement of chapter or appendix pages with revisions without requiring replacement of the entire plan.
- 5) A simplified field document suitable for on-site use in the event of a spill and summarizing key notification and action elements of the plan shall also be prepared and submitted as part of the plan.
- 6) Computerized plans may be submitted to the office in addition to a hard copy. Computerized plans, accompanied by a hard copy, may be used to meet the requirements of WAC 317-10-075.

**WAC 317-10-050 Plan content requirements.**

- 1) Each plan shall contain a submittal agreement which:
  - a) Includes the name, address, and phone number of the submitting party;
  - b) Verifies acceptance of the plan, including any incorporated contingency plans, by the owner or operator of the covered vessel, by signature of the owner or operator or their designee;
  - c) Commits execution of the plan, including any incorporated contingency plans, by the owner or operator or their designee, and verifies authority for the plan holder to make appropriate expenditures in order to execute plan provisions; and
  - d) Except for plans filed by the Washington state maritime commission or a maritime association defined under Oregon law, includes the vessel's name, the

name, location, and address of the owner or operator, official identification code or call sign, country of registry, common ports of call in Washington waters, type of oil(s) handled, oil volume capacity, expected period of operation in state waters, and passenger capacity if a passenger vessel.

- 2) Each plan shall include a log sheet to record amendments to the plan. The log sheet shall be placed at the front of the plan. The log sheet shall provide for a record of the section amended, the date that the old section was replaced with the amended section, verification that the office was notified of the amendment pursuant to WAC 317-10-080(3), and the initials of the individual making the change. A description of the amendment and its purpose shall also be included in the log sheet, or filed in the form of an amendment letter immediately after the log sheet.
- 3) Each plan shall include a detailed table of contents based on chapter, section, and appendix numbers and titles, as well as tables and figures.
- 4) Each plan shall describe the purpose and scope of that plan, including:
  - a) The geographic area covered by the plan;
  - b) The covered vessel operations covered by the plan; and
  - c) The size of the worst case spill from the covered vessel.
- 5) Each plan shall describe the procedures and time periods corresponding to updates of the plan and distribution of the plan and updates to affected and interested parties.
- 6) Each plan shall present a strategy to ensure use of the plan for spill response and cleanup operations pursuant to requirements in WAC 317-10-075.
- 7) Each plan shall describe the organization of the spill response system, including all task assignments addressed by requirements of this section. This description shall identify the role of an incident commander or primary spill response manager, who shall possess the lead authority in spill response and cleanup decisions. The plan shall describe how a smooth transfer of the incident commander or primary spill response manager position between individuals will be accomplished. An organizational diagram depicting the chain of command shall also be included.
- 8) a) For each primary response contractor which a plan holder may or does rely on to perform or supplement its response operations within the geographic area covered by the plan, the plan shall state that contractor's name, address, phone number, or other means of contact at any time of the day, and response capability (e.g., land spills only). For each primary response contractor, the plan shall include a letter of

intent signed by the primary response contractor which indicates the contractor's willingness to respond. Copies of written contracts or agreements with primary response contractors shall be available for inspection, if requested by the department.

- b) If a plan holder is a member of an oil spill response cooperative and relies on that cooperative to perform or supplement its response operations within the geographic area covered by the plan, the plan shall state the cooperative's name, address, phone number, and response capability. The plan shall also include proof of cooperative membership.
  - c) Plans which rely on primary response contractors shall rely only on primary response contractors approved by the office under WAC 317-10-090.
- 9) Each plan shall briefly describe its relation to all applicable local, state, regional, and federal government response plans. Plans shall address how the plan holder's response organization will be coordinated with an incident command system utilized by state and federal authorities.
- 10) Each plan shall list procedures which will be used to detect and document the presence and size of a spill, including methods which are effective during low visibility conditions. For tank vessels, the plan shall describe the use, if any, of mechanical or electronic monitoring or alarm systems (including threshold sensitivities) used to detect oil discharges into adjacent land or water from tanks, pipes, manifolds, and other transfer or storage equipment.
- 11) Each plan shall describe procedures which will be taken to immediately notify appropriate parties that a spill has occurred.
- a) The plan holder shall maintain a notification call out list which shall be available if requested by the office for inspection, and which:
    - i. Provides a contact at any time of the day for all spill response personnel identified under subsection (7) of this section, including the contact's name, position title, phone number or other means of contact for any time of the day, and an alternate contact in the event the individual is unavailable;
    - ii. Lists the name and phone number of all government agencies which must be notified in the event of an oil spill pursuant to requirements under RCW 90.48.360 as recodified by section 1115, chapter 200, Laws of 1991, and other state and federal requirements; and
    - i. Establishes a clear order of priority for immediate notification;



- b) The plan shall identify a central reporting office or individual who is responsible for implementing the call out process; and
  - c) The plan shall utilize a system of categorizing incident type and severity. Plan holders are encouraged to utilize the system established by the department in the Washington state-wide master oil and hazardous substance spill contingency plan as developed pursuant to RCW 90.48.378 as recodified by section 1115, chapter 200, Laws of 1991.
- 12) Each plan shall describe the personnel (including contract personnel) available to respond to an oil spill, including:
- a) A job description for each type of spill response position needed as indicated in the spill response organization scheme addressed in subsection (7) of this section;
  - b) The number of personnel available to perform each type of spill response position;
  - c) Arrangements for prepositioning personnel at strategic locations which will meet criteria pursuant to WAC 317-10-065 (3)(d);
  - d) The type and frequency of spill response operations and safety training that each individual in a spill response position receives to attain the level of qualification demanded by their job description; and
  - e) The procedures, if any, to train and use volunteers willing to assist in spill response operations. Volunteer procedures for wildlife rescue shall comply with rules adopted by the Washington department of wildlife.
- 13) a) Each plan shall list the type, quantity, age, location, maintenance schedule, and availability of equipment used during spill response, including equipment used for oil containment, recovery, storage, and removal, shoreline and adjacent lands cleanup, wildlife rescue and rehabilitation, and communication.
- b) For equipment listed under (a) of this subsection that is not owned by or available exclusively to the plan holder, the plan shall also estimate the extent to which other contingency plans rely on that same equipment.
  - c) For oil containment and recovery equipment, the plan also shall include equipment make and model, and the manufacturer's nameplate capacity of the response equipment (in gallons per minute), and applicable design limits (e.g., maximum wave height capability; inland waters vs. open ocean).

- d) Based on information described in (c) of this subsection, the plan shall state the maximum amount of oil which could be recovered per twenty-four-hour period.
  - e) For purposes of determining plan adequacy under WAC 317-10-065, and to assess realistic capabilities based on potential limitations by weather, sea state, and other variables, the data presented in (c) and (d) of this subsection will be multiplied by an average efficiency factor of twenty percent. The office will apply a higher efficiency factor for equipment listed in a plan if that plan holder provides adequate evidence that the higher efficiency factor is warranted for particular equipment. The office may assign a lower efficiency factor to particular equipment listed in a plan if it determines that the performance of that equipment warrants such a reduction.
  - f) The plan shall provide arrangements for prepositioning of oil spill response equipment at strategic locations which will meet criteria pursuant to WAC 317-10-065 (3)(d).
- 14) Each plan shall describe the communication systems used for spill notification and response operations, including:
- a) Communication procedures;
  - b) The communication function (e.g., ground-to-air) assigned to each channel or frequency used; and
  - c) The maximum geographic range for each channel or frequency used.
- 15) Each plan shall describe the process to establish sites needed for spill response operations, including location or location criteria for:
- a) A central command post;
  - b) A central communications post if located away from the command post; and
  - c) Equipment and personnel staging areas.
- 16)a) Each plan shall present a flowchart or decision tree describing the procession of each major stage of spill response operations from spill discovery to completion of cleanup. The flowchart or decision tree shall describe the general order and priority in which key spill response activities are performed.
- b) Each plan shall describe all key spill response operations in checklist form, to be used by spill response managers in the event of an oil spill.

- 17)a) Each plan shall list the local, state, and other government authorities responsible for the emergency procedures peripheral to spill containment and cleanup, including:
- i. Procedures to control fires and explosions, and to rescue people or property threatened by fire or explosion;
  - ii. Procedures to control ground and air traffic which may interfere with spill response operations; and
  - iii. Procedures to manage access to the spill response site.
- b) Each plan shall describe the plan holder's role in these emergency operation procedures prior to the arrival of proper authorities.
- 18)Each plan shall describe equipment and procedures to be used by the vessel personnel to minimize the magnitude of the spill and minimize structural damage which may increase the quantity of oil spilled.
- a) For tank vessels, damage control procedures shall include methods and onboard equipment to achieve vessel stability and prevent further vessel damage, slow or stop pipe, tank, and other leaks, and achieve emergency shutdown during oil transfer.
  - b) For other covered vessels, damage control procedures shall address methods to achieve vessel stability and slow or stop leaks from fuel tanks and lines.
- 19)Each plan shall describe, in detail, methods to contain spilled oil and remove it from the environment. Methods shall describe deployment of equipment and personnel, using diagrams or other visual aids when possible. Response methods covered must include:
- a) Surveillance methods used to detect and track the extent and movement of the spill;
  - b) Methods to contain and remove oil in offshore waters;
  - c) Methods to contain and remove oil in near-shore waters, including shoreline protection procedures and oil diversion/pooling procedures; and
  - d) Methods to contain and remove oil, including surface oil, subsurface oil, and oiled debris and vegetation, from a variety of shoreline, adjacent land, and beach types.

20) Each plan shall briefly describe initial equipment and personnel deployment activities which will accomplish the response standard listed in WAC 317-10-065 (3)(d), and provide an estimate of the actual execution time.

21) If the plan holder will use dispersants, coagulants, bioremediants, or other chemical agents for response operations, conditions permitting, the plan shall describe:

- a) Type and toxicity of chemicals;
- b) Under what conditions they will be applied in conformance with all applicable local, state, and federal requirements, including the state-wide master oil and hazardous substance spill contingency plan;
- c) Methods of deployment; and
- d) Location and accessibility of supplies and deployment equipment.

22) If the plan holder will use in-situ burning for response operations, conditions permitting, the plan shall describe:

- a) Type of burning operations;
- b) Under what conditions burning will be applied in conformance with all applicable local, state, and federal requirements, including the state-wide master oil and hazardous substance spill contingency plan;
- c) Methods of application; and
- d) Location and accessibility of supplies and deployment equipment.

23) Each plan shall describe how environmental protection will be achieved, including:

- a) Protection of sensitive shoreline and island habitat by diverting or blocking oil movement;
- b) Priorities for sensitive area protection in the geographic area covered by the plan as designated by the department in environmentally sensitive area maps referenced in the state-wide master oil and hazardous substance spill contingency plan;
- c) Rescue and rehabilitation of birds, marine mammals, and other wildlife contaminated or otherwise affected by the oil spill in compliance with rules adopted by the Washington department of wildlife; and

- d) Measures taken to reduce damages to the environment caused by shoreline and adjacent land cleanup operations, such as impacts to sensitive shoreline habitat by heavy machinery.
- 24) a) Each plan shall describe site criteria and methods used for interim storage of oil recovered and oily wastes generated during response and cleanup operations. Interim storage methods and sites shall be designed to prevent contamination by recovered oil and oily wastes.
- b) If use of interim storage sites will require approval by local, state, or federal officials, the plan shall include information which could expedite the approval process, including a list of appropriate contacts and a brief description of procedures to follow for each applicable approval process.
  - c) Each plan shall describe methods and sites used for permanent disposal of oil recovered and oily wastes generated during response and cleanup operations.
  - d) Interim storage and permanent disposal methods and sites shall be sufficient to keep up with oil recovery operations and handle the entire volume of oil recovered and oily wastes generated.
  - e) Interim storage and permanent disposal methods and sites shall comply with all applicable local, state, and federal requirements.
- 25) Each plan shall describe procedures to protect the health and safety of oil spill response workers, volunteers, and other individuals on-site. Provisions for training, decontamination facilities, safety gear, and a safety officer position shall be addressed.
- 26) Each plan shall explain post-spill review procedures, including methods to review both the effectiveness of the plan and the need for plan amendments. Post-spill procedures shall provide for a debrief of the office.
- 27) a) Each plan shall describe the schedule and type of drills and other exercises which will be practiced to ensure readiness of the plan elements, including drills which satisfy WAC 317-10-070(3).
- b) Tests of internal call out procedures shall be performed at least once every ninety calendar days and documented by the plan holder. Such tests are only required to involve notification, not actual deployment.
- 28) Unless the plan holder has received approval for a prevention plan submitted pursuant to chapter 200, Laws of 1991, each tank vessel plan shall describe measures taken to reduce the likelihood that a spill will occur which exceed or are not covered by existing state and federal requirements, including:

- a) Type and frequency of personnel training on methods to minimize operational risks;
  - b) Methods to ensure equipment integrity, including inspection and maintenance schedules;
  - c) Methods to reduce spills during transfer operations, including overfill prevention; and
  - d) For tank vessels, key measures used to reduce risks during navigation.
- 29) Each covered vessel plan shall list the spill risk variables within the geographic area covered by the plan, including:
- a) Types, physical properties, and amounts of oil handled;
  - b) Except for plans filed by the Washington state maritime commission or a maritime association defined under Oregon law, a written description and diagram indicating cargo, fuel, and ballast tanks and piping, power plants, and other oil storage and transfer sites and operations; and
  - c) A written description of operations with a history of or high potential for oil spills, including key areas which pose significant navigation risk within the geographic area covered by the plan.
- 30) Each plan shall list the environmental variables within the geographic area covered by the plan, including:
- a) Natural resources, including coastal and aquatic habitat types and sensitivity by season, breeding sites, presence of state or federally listed endangered or threatened species, and presence of commercial and recreational species (environmental variable information may be obtained directly from environmentally sensitive area maps referenced in the state-wide master oil and hazardous substance spill contingency plan);
  - b) Public resources, including public beaches, water intakes, drinking water supplies, and marinas;
  - c) Seasonal hydrographic and climatic conditions; and
  - d) Physical geographic features, including relative isolation of coastal regions, beach types, and other geological characteristics.

31) Each plan shall list the logistical resources within the geographic area covered by the plan, including:

- a) Facilities for fire services, medical services, and accommodations; and
- b) Shoreline access areas, including boat launches.

32) a) Each plan shall describe detailed, plausible, step-by-step response scenarios for:

- i. A small oil spill less than five hundred gallons; and
- ii. A worst case spill as described in the plan pursuant to subsection (4)(c) of this section.

b) Each scenario description shall include:

- i. The circumstances surrounding the spill, including size, type, location, climatic and hydrographic conditions, time, and cause;
  - ii. An estimate of oil movement during the first seventy-two hours, including likely shoreline contact points; and
  - iii. Estimates of response time and percent recovery for each major phase of operations.
- c) If a plan applies to multiple covered vessels, each scenario description shall discuss implementation of the plan in the event of simultaneous separate spills.

33) Each plan shall include a glossary of technical terms and abbreviations used in the plan.

#### **WAC 317-10-060 Plan submittal.**

1) a) Plans for tank vessels of three thousand gross tons or more shall be submitted to the office within six months after adoption of this chapter.

b) All other covered vessels shall submit plans to the office within eighteen months after adoption of this chapter.

2) a) Any covered vessel that first begins operating after the adoption of this chapter shall submit a plan to the office at least sixty-five calendar days prior to the beginning of operations in Washington waters, with the exception of covered vessels which fall under the jurisdiction of the Washington maritime commission

pursuant to chapter 88.44 RCW, as amended by sections 901 through 907, chapter 200, Laws of 1991.

- b) Covered vessels which fall under the jurisdiction of the Washington maritime commission pursuant to chapter 88.44 RCW, as amended by sections 901 through 907, chapter 200, Laws of 1991, shall be incorporated into the maritime commission contingency plan pursuant to WAC 317-10-080.

- 3) Three copies of the plan and appendices shall be delivered to:

Contingency Plan Review  
Washington Office of Marine Safety  
P.O. Box 42407  
Olympia, WA 98504-2407

- 4) a) Tank vessel plans may be submitted by:

- i. The tank vessel owner or operator;
- ii. The owner or operator of a facility where the tank vessel unloads cargo, in conformance with requirements under WAC 317-10-050(1); or
- iii. A primary response contractor approved by the office pursuant to WAC 317-10-090, in conformance with requirements under WAC 317-10-050(1).

- b) Cargo and passenger vessel plans may be submitted by:

- i. The vessel owner or operator;
- ii. The agent for the vessel, in conformance with requirements under WAC 317-10-050(1); or
- iii. A response contractor approved by the office pursuant to WAC 317-10-090, in conformance with requirements under WAC 317-10-050(1).

- c) Plans for covered vessels which fall under the jurisdiction of the Washington maritime commission pursuant to chapter 88.44 RCW, as amended by sections 901 through 907, chapter 200, Laws of 1991, may be submitted by the Washington maritime commission, in conformance with requirements under WAC 317-10-050(1).

- 5) A single plan may be submitted for multiple vessels of the same vessel type, provided that the plan contents meet the requirements in this chapter for each vessel listed.



- 6) An owner, operator, or plan submitter may request information contained in an oil spill contingency plan be protected from public disclosure. The request must be made in a letter to the administrator and signed by the owner, operator, or plan submitter making the request. The information to be protected must be identified clearly by plan section, page number, paragraph, and, if possible, sentence. In addition to identifying the information to be protected, the request must also identify the legal basis justifying that request.
- 7) The owner, operator, or plan submitter is solely responsible for all costs incurred, including reasonable attorney fees, in defending any action for public disclosure brought under chapter 42.17 RCW. In addition, the owner, operator, or plan submitter may bring an injunctive action pursuant to RCW 42.17.350.
- 8) If the office receives a request for public disclosure of information that an owner, operator, or plan submitter has requested protection, the office will:
  - a) Notify the owner, operator, or plan submitter when a request is made;
  - b) Notify the owner, operator, or plan submitter of any proceedings initiated to compel disclosure; and
  - c) Withhold the information until released by the owner, operator, or plan submitter or until a court order requires disclosure.

**WAC 317-10-065 Plan review.** (1) The office shall endeavor to review each plan in sixty-five calendar days. Upon receipt of a plan, the office shall evaluate promptly whether the plan is incomplete. If the office determines that a plan is incomplete, the submitter shall be notified of deficiencies. The review period shall not begin until the office receives a complete plan.

- 2) The office shall regularly notify interested parties of any contingency plans which are under review by the office, and make plans available for review to all other state, local, and federal agencies, and the public. The office shall accept comments from these interested parties on the plan during the first thirty calendar days of review by the office.
- 3) A plan shall be approved if, in addition to meeting criteria in WAC 317-10-045 and 317-10-050, it demonstrates that when implemented, it can:
  - a) To the maximum extent practicable, provide for prompt and proper response to and cleanup of a variety of spills, including small chronic spills, and worst case spills;

- b) To the maximum extent practicable, provide for prompt and proper protection of the environment from oil spills;
  - c) Provide for immediate notification and mobilization of resources upon discovery of a spill;
  - d) Provide for initial deployment of response equipment and personnel at the site of the spill within two hours of the plan holder's awareness that a spill has occurred given suitable safety conditions; and
  - e) Use as primary response contractors, only those response contractors approved by the office under WAC 317-10-090.
- 4) When reviewing plans, the office shall, in addition to the above criteria, consider the following:
- a) The volume and type of oil(s) addressed by the plan;
  - b) The history and circumstances of prior spills by similar types of vessels, including spill reports by department on-scene coordinators;
  - c) The presence of operating hazards;
  - d) The sensitivity and value of natural resources within the geographic area covered by the plan;
  - e) Any pertinent local, state, federal agency, or public comments received on the plan;
  - f) The extent to which reasonable, cost-effective spill prevention measures have been incorporated into the plan; and
  - g) The nature and amount of vessel traffic and navigational hazards within the geographic area covered by the plan.
- 5) The office may approve a plan without a full review as per provisions of this section if that plan has been approved by a federal agency or other state which the office has deemed to possess approval criteria which equal or exceed those of the office.
- 6) The office may prepare a manual to aid office staff responsible for plan review. This manual may be made available to provide guidance for plan preparers. While the manual would be used as a tool to conduct review of a plan, the office will not be bound by the contents of such a manual.

- 7) The office shall endeavor to notify the covered vessel owner or operator or their designee within five working days after the review is completed whether the plan has been approved.
- a) If the plan receives approval, the covered vessel owner or operator shall receive a certificate of approval describing the terms of approval, including expiration dates.
  - b) (i) The office may approve a plan conditionally by requiring a covered vessel owner or operator to operate with specific precautionary measures until unacceptable components of the plan are resubmitted and approved.
    - ii. Precautionary measures may include, but are not limited to, reducing oil transfer rates, increasing personnel levels, or restricting operations to daylight hours. Precautionary measures may also include additional requirements to ensure availability of response equipment.
    - iii. A plan holder shall have thirty calendar days after the office gives notification of conditional status to submit and implement required changes to the office, with the option for an extension at the office's discretion. Plan holders who fail to meet conditional requirements or provide required changes in the time allowed shall lose conditional approval status.
  - c) If plan approval is denied, the covered vessel owner or operator shall receive an explanation of the factors for disapproval and a list of actions to be taken to gain approval. The covered vessel shall not continue oil storage, transfer, or other operations until a plan for that vessel has been approved.
  - d) A plan holder shall have thirty calendar days from the date of the notice of nonapproval to appeal the office's decision. The appeal shall be perfected by serving an application for an adjudicative proceeding upon the office within the time specified herein.
  - e) If a plan holder demonstrates an inability to comply with an approved contingency plan or otherwise fails to comply with requirements of this chapter, the office may, at its discretion:
    - i. Place conditions on approval pursuant to (b) of this subsection; or
    - ii. Revoke its approval pursuant to (c) of this subsection.
  - f) Approval of a plan by the office does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under state law.

- 8) The office shall work with the department to ensure that no duplication of regulatory responsibilities occurs in the review of contingency plans from marine facilities.

**WAC 317-10-070 Drills and inspections.** (1) For the purpose of determining plan adequacy, the office may require a plan holder to participate in one unannounced full deployment drill annually. The office shall choose plan holders for such drills through a random process.

- 2) The office may require a plan holder to participate in one announced, limited deployment drill annually. The office shall choose plan holders for such drills through a random process.
- 3) Requirements under subsections (1) and (2) of this section may be met:
  - a) By drills led by other state, local, or federal authorities if the office finds that the criteria for drill execution and review equal or exceed those of the office;
  - b) By drills initiated by the plan holder, if the office is involved in participation, review, and evaluation of the drill, and if the office finds that the drill adequately tests the plan; and
  - c) By responses to actual spill events, if the office is involved in participation, review, and evaluation of the spill response, and if the office finds that the spill event adequately tests the plan.
- 4) The office may excuse a primary response contractor from full deployment participation in more than one drill, if in the past twelve months, the primary response contractor has performed to the office's satisfaction in a full deployment drill or an exercise listed in subsection (3) of this section.
- 5) The office shall review the degree to which the specifications of the plan are implemented during the drill. The office shall endeavor to notify the covered vessel owner or operator of the review results within thirty calendar days following the drill. If the office finds deficiencies in the plan, the office shall report those deficiencies to the plan holder and require the plan holder to make specific amendments to the plan pursuant to requirements in WAC 317-10-080.
- 6) The department shall publish an annual report on plan drills, including a summary of response times, actual equipment and personnel use, recommendations for plan requirement changes, and industry response to those recommendations.
- 7) The office may require the covered vessel owner or operator to participate in additional drills beyond those required in subsections (1) and (2) of this section if

the office is not satisfied with the adequacy of the plan during exercises or spill response events.

- 8) The office may verify compliance with this chapter by unannounced inspections.

**WAC 317-10-075 Plan maintenance and use.** (1) At least one copy of the plan shall be kept in a central location accessible at any time by the incident commander or spill response manager named in accordance with WAC 317-10-050(7).

- 2) A field document prepared under WAC 317-10-045(5) shall be available to all appropriate personnel. Each covered vessel covered by the plan shall possess a copy of the field document and keep it in a conspicuous and accessible location.
- 3) A covered vessel owner or operator or their designee shall implement the plan in the event of a spill. The covered vessel owner or operator or their designee must receive approval from the office before it conducts any major aspect of the spill response contrary to the plan unless:
  - a) Such actions are necessary to protect human health and safety;
  - b) Such actions must be performed immediately in response to unforeseen conditions to avoid additional environmental damage; or
  - c) The plan holder has been directed to perform such actions by the department or the United States Coast Guard.

**WAC 317-10-080 Plan update timeline.** (1) The office shall be notified in writing as soon as possible and within twenty-four hours of any significant change which could affect implementation of the plan, including a substantial decrease in available spill response equipment or personnel. The plan holder shall also provide a schedule for the prompt return of the plan to full operational status. A facsimile will be considered written notice for the purposes of this subsection. Changes which are not considered significant include minor variations in equipment or personnel characteristics, call out lists, or operating procedures. Failure to notify the office of significant changes shall be considered noncompliance with this chapter and subject to provisions of WAC 317-10-065 (7)(e).

- 2) If the office finds that, as a result of the change, the plan no longer meets approval criteria pursuant to WAC 317-10-065, the office may, in its discretion, place conditions on approval or revoke approval in accordance to WAC 317-10-065 (7)(e). Plan holders are encouraged to maintain back-up resources in order to ensure that their plans can always be fully implemented.

- 3) Within thirty calendar days of an approved change, the covered vessel owner or operator or their designee shall distribute the amended page(s) of the plan to the office and other plan holders.
- 4) Plans shall be reviewed by the office every five years pursuant to WAC 317-10-065. Plans shall be submitted for reapproval unless the plan holder submits a letter requesting that the office review the plan already in the office's possession. The plan holder shall submit the plan or such a letter at least sixty-five calendar days in advance of the plan expiration date.
- 5) The office may review a plan following any spill for which the plan holder is responsible.

[

**WAC 317-10-085 Noncompliance with plan requirements.** (1) Any violation of this chapter may be subject to the enforcement and penalty sanctions of chapter 200, Laws of 1991.

- 2) The office may deny entry onto the waters of the state to any covered vessel that does not have an approved plan and is so required.
- 3) The office may assess a civil penalty of up to one hundred thousand dollars against any person who is in violation of this section. Each day that a person or covered vessel is in violation of this section shall be considered a separate violation.

**WAC 317-10-090 Contractor standards.** (1) Primary response contractors listed in a covered vessel contingency plan must be approved by the office. Response contractors which are listed in a contingency plan only as subcontractors to a primary response contractor do not have to be approved by the office.

- 2) Primary response contractors shall be approved by the office subject to the following conditions:
  - a) Equipment, equipment maintenance, and equipment and personnel deployment readiness must be verifiable by inspection by the office. Any resources not on site at the time of an inspection must be accounted for by company records. Approval of personnel readiness shall require capability of a one hour call out time in which personnel must be able to begin mobilization of response efforts. Equipment readiness shall include being available and able to be deployed to a spill site without delay, not counting normal maintenance and repairs;

- b) Response personnel shall comply with all appropriate safety and training requirements listed in WAC 296-62-300. Training records may be audited for verification; and
  - c) Determination of an acceptable safety history by review of pertinent records on a case-by-case, best-professional-judgment basis. Lack of a safety history will not be grounds for denying approval.
- 3) The office shall work with the department to ensure that no duplication of regulatory responsibilities occurs in the review of primary response contractors.

**WAC 317-10-092 Contractor approval information required.** To apply for approval, contractors shall submit the following items to the office:

- 1) Contractor's name, UBI number, address, and phone number;
- 2) Response capability, including geographic area of response coverage, with any exclusions;
- 3) The types of oil and media (e.g., marine, fresh water, or land) to which the contractor is willing and able to respond;
- 4) An organizational diagram depicting chain of command;
- 5) A call out list as described in WAC 317-10-050 (11)(a)(i);
- 6) A list of all response equipment and personnel pursuant to WAC 317-10-050 (12)(a), (b), and (d) and (13)(a) and (c); and
- 7) A list of all OSHA/WISHA citations and reports, lost-time accidents, and accident claims related to oil spill response operations for the last five years. Any applicant with less than five years under their current business name or organization shall provide a listing of any oil spill response contract businesses owned or operated by the principals in the new company within the last five years, including a brief description of the companies and their safety history information as listed above.

**WAC 317-10-094 Submittal of contractor approval applications.** (1) Three copies of the contractor's approval application shall be delivered to:

Response Contractor Approval  
Washington Office of Marine Safety  
P.O. Box 42407  
Olympia, WA 98504-2407

- 2) Applications may be submitted at any time after adoption of this chapter. If submitted with a contingency plan, the information required pursuant to WAC 317-10-092 shall be presented separately.

**WAC 317-10-096 Contractor application review.** (1) The office shall endeavor to review each application for primary response contractor approval in forty-five calendar days. Upon receipt of an application, the office shall evaluate promptly whether the application is incomplete. If the office determines that an application is incomplete, the submitter shall be notified of deficiencies. The forty-five-day review period shall begin when the application is complete.

- 2) An application shall be approved if it meets the conditions specified in WAC 317-10-090.
- 3) The office shall endeavor to notify the applicant that the application has been approved/not approved within five working days after the review is completed.
  - a) If the application is approved, the contractor shall receive a certificate of approval describing the terms of approval, including expiration dates.
  - b) If the application is not approved, the contractor shall receive an explanation of the factors for disapproval and a list of actions to be taken to gain approval. The contractor may not act as a primary response contractor for a covered vessel contingency plan until approved by the office.
  - c) If the application is not approved, the contractor shall have thirty calendar days from the date of the notice of nonapproval to appeal the office's decision. The appeal shall be perfected by serving an application for an adjudicative proceeding upon the office within the time specified herein.
  - d) Approval of a response contractor by the office does not constitute an express assurance regarding the adequacy of the contractor nor constitute a defense to liability imposed under state law.



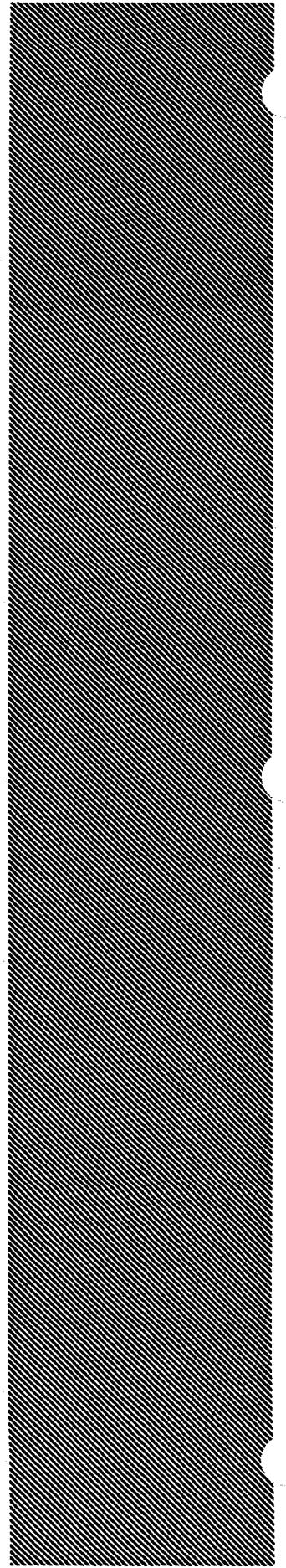
- 4) Response contractor approvals shall be reviewed by the office every two years pursuant to WAC 317-10-094. Reapproval applications shall be submitted sixty calendar days in advance of the approval expiration date.
- 5) An approved contractor shall notify the office in writing as soon as possible and within twenty-four hours of any significant change in the information reported in the approval application, such as a substantial change in equipment ownership. A facsimile received by the office will be considered written notice for the purposes of this subsection. Failure to notify the office may result in loss of approval status. Upon notification, the office may review and modify the approval of the primary response contractor pursuant to this section. If the department determines that approval conditions are no longer met, approval may be withdrawn.

**WAC 317-10-098 Severability.** If any provision of this chapter is held invalid, the remainder of the rule is not affected.





WASHINGTON STATE  
Department of Ecology  
Spills Program  
P.O. Box 47600  
Olympia, WA 98504-7600



# Vessel Contingency Plan Planning Standards

JULY 1995

## INTRODUCTION

### *What are the planning standards?*

Washington and Oregon require the owners or operators of tank, cargo and passenger vessels 300 gross tons or larger to submit oil spill contingency plans before entering state waters. (Washington also requires tank vessels smaller than 300 gross tons to submit plans). These plans ensure that the plan holder will be capable of removing oil and minimizing damage to the environment in the event of a spill.

The Oregon State Department of Environmental Quality (DEQ) and the Washington State Office of Marine Safety (OMS) evaluate the effectiveness of contingency plans by using response planning standards. The planning standards ensure vessel owners and operators have appropriate resources available to provide an effective and timely response to a worst case spill (a spill of the vessel's entire cargo and fuel in adverse weather).

These standards are for planning purposes only and are not performance standards or guarantees of actual performance. Actual response to a spill incident must be tailored to the event based upon the circumstances of the incident and the directives of the Unified Command. This publication describes the planning standards and explains how they help protect Northwest resources.

### A Joint Publication of:



WASHINGTON STATE  
Office of Marine Safety  
711 State Avenue  
P.O. Box 42407  
Olympia, WA 98504-2407  
(360) 664-9110



OREGON STATE  
Department of  
Environmental Quality  
811 SW Sixth Avenue  
Portland, OR 98715  
(503) 229-5696

## OVERVIEW

In 1993, the Washington State Office of Marine Safety (OMS) and the Oregon State Department of Environmental Quality (DEQ) published draft planning standards for reviewing vessel oil spill contingency plans, subject to public review and comment. These planning standards are now being published in final form. The planning standards are designed to help the states evaluate the effectiveness of contingency plans by determining whether sufficient resources have been identified to respond to the vessel's worst case spill. The goals of the planning standards are (1) to ensure consistent review of all plans, and (2) to protect the Northwest marine environment. The planning standards vary depending upon the region (or Response Zone) covered. The waterways of Oregon and Washington are divided into five Response Zones to ensure all resources are appropriately addressed in the event of a worst-case spill.

## COMMONLY ASKED QUESTIONS ABOUT THE PLANNING STANDARDS

### *Why were the planning standards developed?*

The planning standards were developed to provide plan reviewers with a systematic and objective means of reviewing each oil spill contingency plan and to ensure plans comply with Oregon and Washington rules. The planning standards provide consistency during the review process by ensuring that all owners or operators of vessels are able to provide the same level of spill response. The planning standards also allow for review consistency between Washington and Oregon to protect the shared resources of the Columbia River.

### *How were the planning standards developed?*

The planning standards were developed in cooperation with DEQ, OMS, and Washington's Department of Ecology, and were reviewed by industry and environmental representatives. The availability of response equipment, sensitivity of natural resources, frequency and type of vessel traffic, and potential for a marine incident in Washington and Oregon waterways were evaluated to determine the appropriate planning standards for specific response zones.

### *What do the planning standards require?*

- ☐ Mechanical oil recovery equipment
- ☐ Boom
- ☐ Interim storage capability
- ☐ The ability to meet response time requirements for the five response zones

### *How do the planning standards protect the resources of the Northwest?*

The planning standards ensure response equipment will be staged throughout the waterways of the Northwest to enable a fast and effective response. Without the planning standards, some resources may be left unprotected or under-protected.

***Why are the states involved if the Oil Pollution Act of 1990 has already established national response standards?***

The Oil Pollution Act of 1990 (OPA 90) created a national baseline for oil spill response and authorized states to establish more stringent requirements. The Northwest is home to many of the nation's threatened and endangered species and several areas have been designated as either National Wildlife Refuges or National Marine Sanctuaries. The Northwest economy is highly dependent upon the natural resources of its waters and both the Columbia River and Puget Sound are essential waterways for world trade. Recent research for the region's Geographic Response Plans (GRPs) has demonstrated that the Northwest's sensitive resources can only be adequately protected by a quicker and more effective response than is mandated by OPA 90.

***Will the planning standards prevent oil spills?***

No, meeting the planning standards will not prevent oil spills, but will mitigate damage to the environment if a spill occurs. By ensuring that appropriate response equipment is available and strategically positioned before a spill occurs, the degree of environmental damage caused by a spill will be reduced.

## **Planning Standards Response Zones**

**ZONE 1:**

All waters of Puget Sound, east of a line between Discovery Island and New Dungeness Light.

**ZONE 2:**

The waters of the Strait of Juan de Fuca, west of a line between Discovery Island and New Dungeness Light and east of a line between Cape Alava and Nitinat Inlet.

**ZONE 3:**

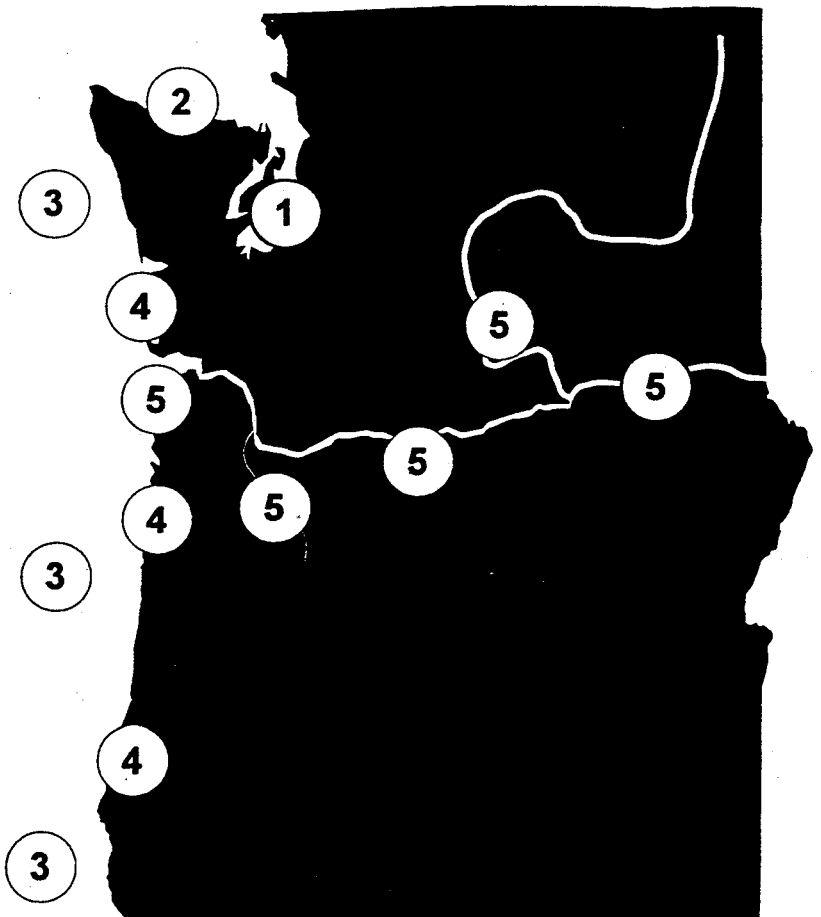
All other waters (out to three nautical miles) of the western coast of Washington and Oregon, not included in Zones 2 or 4.

**ZONE 4:**

The waters of Grays Harbor, Willapa Bay, Yaquina Bay, and Coos Bay (out to three nautical miles off the coast).

**ZONE 5:**

The Columbia River (and three nautical miles west of river mile zero), Snake River, and Willamette River.



# Oregon and Vessel Oil Spill Contingency

	2 Hours	6 Hours	12 Hours/15 Hours (Zone 3)
<b>ZONE 1</b>			
Oil recovery rate <sup>1</sup>	None	2% (not to exceed 12,000 bbls/24 hr)	5% (not to exceed 12,000 bbls/24 hr)
Boom	4 x largest vessel	20,000 feet	40,000 feet
Interim storage capacity	None	1 x oil recovery amount	1.5 x oil recovery amount
<b>ZONE 2</b>			
Oil recovery rate	None	2% (not to exceed 12,000 bbls/24 hr)	5% (not to exceed 12,000 bbls/24 hr)
Boom	4 x largest vessel	10,000 feet	40,000 feet
Interim storage capacity	None	1 x oil recovery amount	1.5 x oil recovery amount
<b>ZONE 3</b>			
Oil recovery rate	None	None	3% (not to exceed 12,000 bbls/24 hr) <sup>2</sup>
Boom	Overflight assessment	4 x largest vessel	40,000 feet
Interim storage capacity	None	None	1 x oil recovery amount
<b>ZONE 4</b>			
Oil recovery rate	None	2% (not to exceed 12,000 bbls/24 hr)	5% (not to exceed 12,000 bbls/24 hr)
Boom	4 x largest vessel	10,000 feet	40,000 feet
Interim storage capacity	None	1 x oil recovery amount	1.5 x oil recovery amount
<b>ZONE 5</b>			
Oil recovery rate	None	2% (not to exceed 12,000 bbls/24 hr)	5% (not to exceed 12,000 bbls/24 hr)
Boom	4 x largest vessel	10,000 feet	40,000 feet
Interim storage capacity	None	1 x oil recovery amount	1.5 x oil recovery amount

<sup>1</sup> Sufficient equipment (departed capacity) must be staged to recover the given percentage of the vessel's worst case spill, provided sufficient equipment is available.

<sup>2</sup> If tank ships voluntarily remain 50 miles off the coast, and tank barges and cargo and passenger vessels voluntarily remain 25 miles off the coast.

• Shaded areas indicate the minimum amount of equipment that is required to be staged within the zone. For Zones 1 and 2, 1



# Washington

## Planning Standards

	24 Hours	48 Hours	72 Hours
0.30	12% (not to exceed 48,000 bbls/24 hr)	17% (not to exceed 60,000 bbls/24 hr)	20% (not to exceed 72,000 bbls/24 hr)
	Additional boom as response dictates	Additional boom as response dictates	Additional boom as response dictates
unt	2 x oil recovery amount	2 x oil recovery amount	Additional storage to prevent waste stream bottlenecks
0.00	12% (not to exceed 48,000 bbls/24 hr)	17% (not to exceed 60,000 bbls/24 hr)	20% (not to exceed 72,000 bbls/24 hr)
	Additional boom as response dictates	Additional boom as response dictates	Additional boom as response dictates
unt	2 x oil recovery amount	3 x oil recovery amount	Additional storage to prevent waste stream bottlenecks
0C	8% (not to exceed 48,000 bbls/24 hr)	14% (not to exceed 60,000 bbls/24 hr)	17% (not to exceed 72,000 bbls/24 hr)
	Additional boom as response dictates	Additional boom as response dictates	Additional boom as response dictates
it	2 x oil recovery amount	3 x oil recovery amount	Additional storage to prevent waste stream bottlenecks
,000	12% (not to exceed 48,000 bbls/24 hr)	17% (not to exceed 60,000 bbls/24 hr)	20% (not to exceed 72,000 bbls/24 hr)
	Additional boom as response dictates	Additional boom as response dictates	Additional boom as response dictates
unt	2 x oil recovery amount	3 x oil recovery amount	Additional storage to prevent waste stream bottlenecks
0.00	12% (not to exceed 48,000 bbls/24 hr)	17% (not to exceed 60,000 bbls/24 hr)	20% (not to exceed 72,000 bbls/24 hr)
	Additional boom as response dictates	Additional boom as response dictates	Additional boom as response dictates
unt	2 x oil recovery amount	2 x oil recovery amount	Additional storage to prevent waste stream bottlenecks

e safety conditions exist. The amount of equipment does not have to exceed the given equipment cap.  
 ie coast, the 12-hour requirement in Zone 3 will be extended to 15 hours.  
**minimum amount of equipment may be staged in the combined zones.**

## **EQUIPMENT REQUIREMENTS**

### ***Why are the response requirements unique for each of the five zones?***

Response requirements reflect the type of traffic in each zone and its unique environmental constraints. Thus, the waterways of Washington and Oregon are divided into five Response Zones (refer to page 3) to ensure all the states' resources are appropriately protected from a worst-case spill. For example, Zone 1 (Puget Sound) has higher initial Planning Standards than Zone 3 (Washington and Oregon Coast) because the frequency of spills is greater in the internal waters where transfer operations are performed. The Planning Standards are different in Zone 3 because few good staging locations exist along the coast, and the distance of the vessels transiting along the coast will generally allow more time to respond to spills.

### ***What type of response equipment do the planning standards require?***

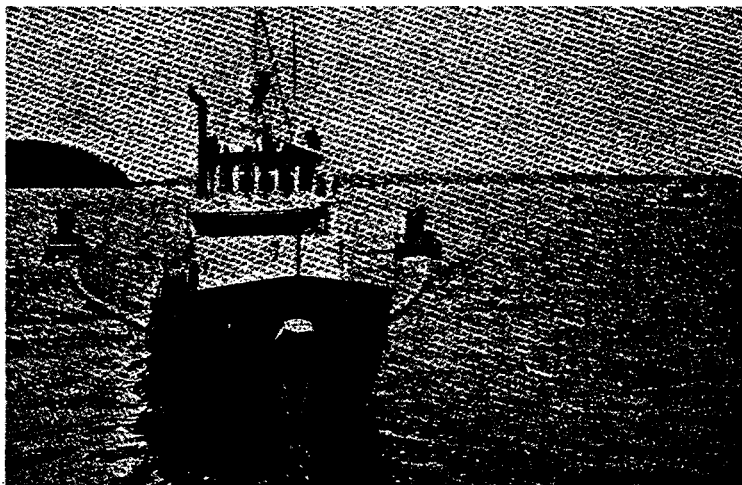
Mechanical recovery equipment is required under the planning standards, but the specific types of equipment to be located in each zone are not identified. Due to the variable environmental conditions in the Northwest and different products carried for each transit, a variety of equipment should be available to respond to different types of oils. The plan holder and primary response contractor are responsible for deciding the types of equipment to be used. This decision should be based on the area of operation and type of product carried. However, DEQ and OMS strongly recommend the plans include a variety of resources to ensure that the most effective response can be enacted under almost any circumstance.

### ***Why do the planning standards only give credit for mechanical response equipment and not equipment for in-situ burning or dispersant use?***

Mechanical response remains the only proven method to recover oil once it has entered the water. The use of non-mechanical response in the Northwest is permitted by the Unified Command on a case-by-case basis. Washington and Oregon along with federal and local agencies are developing an Area Contingency Plan to determine effective response strategies for the Northwest. Under this Area Committee, two subcommittees are evaluating the use of dispersants and in-situ burning as response tools. Once these subcommittees conduct additional research, analyze results, and develop policies, in-situ burning and dispersant use may be considered as additional response tools.

### ***Can equipment that is not dedicated to spill response be identified to meet these standards?***

DEQ and OMS recognize that equipment may not always be dedicated for spill response use. Equipment not dedicated to spill response but available in the event of a spill can be credited to meet the requirements of the planning standards. Non-dedicated equipment is credited with half the value allowed dedicated response equipment.



Spill drills are a valuable component in the planning process to ensure that response systems are effective.

PHOTO BY ROLAND MILLER, CLEAN SOUND



The planning standards will protect the unique Northwest environment for many generations to come.

PHOTO BY DICK LOGAN, DEPARTMENT OF ECOLOGY

## **ZONES (see page 3)**

***Must the planning standards be met by staging all of the equipment in the zone in which it will be used?***

No. A minimum amount of equipment is required to be staged in the zone in which it will be used. The remaining equipment may be staged elsewhere and cascaded into the zone as needed to meet the planning standards. The minimum amount of equipment required to be staged in each zone is shaded on the enclosed table. No equipment needs to remain within Zone 3 due to the lack of adequate staging locations. Equipment cascaded into the zones must be capable of being deployed at a spill within the time specified by the planning standards.

***Can equipment stationed in one zone be moved to another area?***

Yes, as long as the required minimum amount of equipment (shaded in the table) remains within the zone. Two exceptions for moving the required minimum of equipment are (1) for training, and (2) by request of the Federal or State On-Scene Coordinator in the Unified Command of a spill. If advance notice is given to the states, some of the required minimum of equipment may be moved out of the zone for training purposes or to respond to a spill in another location. These requests will be evaluated on a case by case basis.

***How is it determined where to position equipment in each zone?***

Equipment must be positioned in each zone so that sensitive resources will be protected from a spill. The equipment should be positioned to meet the time requirements of the planning standards for any area of vessel operation within the zone.

***How do the planning standards compare to the Geographic Response Plans?***

The Geographic Response Plans (GRPs) provide strategies that prioritize protection of the most sensitive areas. The GRPs contain recommended types and quantities of response equipment necessary to effectively carry out the strategies. The planning standards are based on the GRPs, although meeting the requirements of the planning standards may not provide sufficient equipment to enact every GRP strategy. This is why the planning standards state "additional boom (after 12 hours) or interim storage (after 48 hours) as response dictates."



WASHINGTON STATE

## Office of Marine Safety

P.O. Box 42407, Olympia, WA 98504-2407

*Forwarding and return postage guaranteed.  
Address correction requested.*



Recycled Paper, Vegetable Ink

## ENFORCEMENT

### *How are the planning standards enforced?*

The planning standards are used during plan review. Plan approval will not be granted for plans that significantly deviate from the planning standards. Response to a spill must follow approved plans. Performance when responding to a spill or a drill may affect the re-evaluation and future approval of the plan.

As required by state law, the planning standards include one performance requirement. This regulation requires plans to demonstrate that response equipment and personnel will be on-scene within *two hours* of the planholder's awareness that a spill has occurred, given suitable safety conditions. This capability is a requirement, *not* a planning standard.

### *Are the planning standards flexible?*

OMS and DEQ encourage innovative approaches to spill response. Plan holders are encouraged to take advantage of best achievable practices and technology to perform the most effective spill response. Regardless of the technology used, the same level of protection required by the planning standards must be provided.

### *When must the planning standards be met?*

Each situation will be evaluated on a case-by-case basis. DEQ and OMS will work with industry to meet the planning standards as soon as possible to protect the Northwest Environment.

### **For more information contact:**

**Roy Robertson**  
Contingency Plan Analyst  
Washington State  
Office of Marine Safety  
(360) 664-9122

or

**Paul Slyman**  
Oil Spill Specialist  
Oregon State Department of  
Environmental Quality  
(503) 229-5977

To obtain this publication in alternative format contact the Office of Marine Safety  
ADA Coordinator: (360) 664-9110

**DEPARTMENT OF ECOLOGY FACILITY CONTINGENCY PLAN REVIEW:  
OIL CONTAINMENT/RECOVERY BENCHMARKS**

February 1, 1993

COASTAL VESSEL TERMINAL (on marine waters; transfers oil to/from tank vessels)

Note: Recovery capacity percentages do not incorporate average efficiency factor; equipment applied to satisfy these percentages must be derated appropriately. Also, these recovery percentages may need to be reduced when applied to planning for spills of non-persistent oils.

1 hour	<p>1) Initial deployment (at/near dock) of boom, <b>dedicated to the facility and kept on-site</b>, of length <sup>3</sup> 4x length of largest vessel that transfers at the facility (or largest combination of vessels if there are simultaneous transfers at that facility)</p> <p>Boom type must be appropriate to facility conditions (e.g., currents)</p>
2 hours	<p>1) Deployment could be completed for boom required in 1st hour</p> <p>2) Additional boom equal to length required in 1st hour can be available on-site</p>
6 hours	<p>1) Capacity to recover 10% of worst case spill volume (or 12,000 barrels, whichever is less) within a 24 hour period could have arrived on scene*</p>
12 hours	<p>1) Capacity to recover 15% of worst case spill volume (or 36,000 barrels, whichever is less) within a 24 hour period could have arrived on scene*</p> <p>2) Boom on-site in greater amount of:</p> <p>For a persistent oil: a) 30,000 feet, or b) Length needed to protect all priority shorelines that will likely be affected in first 24 hours</p> <p>For a non-persistent oil: 10,000 feet</p>
24 hours	<p>1) Capacity to recover 20% of worst case spill volume (or 48,000 barrels, whichever is less) within a 24 hour period could have arrived on scene*</p> <p>2) Sensitive areas protected by sufficient types and amounts of boom</p>
48 hours	<p>1) Capacity to recover 25% of worst case spill volume (or 60,000 barrels, whichever is less) within a 24 hour period could have arrived on scene*</p> <p>2) Sensitive areas protected by sufficient types and amounts of boom</p>

\*Recovered oil transfer system and interim storage capacity must be able to keep pace with oil recovery. For persistent oils, interim storage capacity should be 5 times the recovery benchmark volume for a given time period, unless higher oil recovery efficiency can be demonstrated.

**DEPARTMENT OF ECOLOGY FACILITY CONTINGENCY PLAN REVIEW:  
OIL CONTAINMENT/RECOVERY BENCHMARKS**

February 1, 1993

**RIVER VESSEL TERMINAL** (on Snake & Columbia Rivers; transfers oil to/from tank vessel)

Note: Recovery capacity percentages do not incorporate average efficiency factor; equipment applied to satisfy these percentages must be derated appropriately. Also, these recovery percentages may need to be reduced when applied to planning for spills of non-persistent oils.

1 hour	1) Initial deployment (at/near dock) of boom, <b>dedicated to the facility and kept on-site*</b> , of length <sup>3</sup> 4x length of largest vessel that transfers at the facility (or largest combination of vessels if there are simultaneous transfers at that facility). * may be downstream from facility if appropriate
2 hours	1) Deployment could be completed for boom required in 1st hour 2) Additional boom equal to length required in 1st hour can be available on-site
6 hours	1) Capacity to recover 10% of worst case spill volume (or 12,000 barrels, whichever is less) within a 24 hour period could have arrived on scene*
12 hours	1) Capacity to recover 15% of worst case spill volume (or 36,000 barrels, whichever is less) within a 24 hour period could have arrived on scene*  2) Boom on-site in greater amount of:  For a persistent oil: a) 35,000 feet, or b) Length needed to protect all priority shorelines that will likely be affected in first 24 hours* * for Columbia River, must conform with existing planning strategies.  For a non-persistent oil: 15,000 feet
24 hours	1) Capacity to recover 20% of worst case spill volume (or 48,000 barrels, whichever is less) within a 24 hour period could have arrived on scene*  2) Sensitive areas protected by sufficient types and amounts of boom
48 hours	1) Capacity to recover 25% of worst case spill volume (or 60,000 barrels, whichever is less) within a 24 hour period could have arrived on scene*  2) Sensitive areas protected by sufficient types and amounts of boom

\*Recovered oil transfer system and interim storage capacity must be able to keep pace with oil recovery. For persistent oils, interim storage capacity should be 5 times the recovery benchmark volume for a given time period, unless higher oil recovery efficiency can be demonstrated.

**DEPARTMENT OF ECOLOGY FACILITY CONTINGENCY PLAN REVIEW:  
OIL CONTAINMENT/RECOVERY BENCHMARKS**

February 1, 1993

TRANSMISSION PIPELINE

Note: Recovery capacity percentages do not incorporate average efficiency factor; equipment applied to satisfy these percentages must be derated appropriately. Also, these recovery percentages may need to be reduced when applied to planning for spills of non-persistent oils.

1 hour	1) To be determined on a case-by-case basis. Will involve some level of prestaged equipment to provide potential for one hour deployment.
6 hours	1) Capacity to recover 10% of worst case spill volume (or 12,000 barrels, whichever is less) within a 24 hour period could have arrived on scene*
12 hours	1) Capacity to recover 15% of worst case spill volume (or 36,000 barrels, whichever is less) within a 24 hour period could have arrived on scene*  2) Boom on-site in greater amount of:  For a persistent oil: a) 15,000 feet, or b) Length needed to protect all priority shorelines that will likely be affected in first 24 hours  For a non-persistent oil: 10,000 feet
24 hours	1) Capacity to recover 20% of worst case spill volume (or 48,000 barrels, whichever is less) within a 24 hour period could have arrived on scene*  2) Sensitive areas protected by sufficient types and amounts of boom
48 hours	1) Capacity to recover 25% of worst case spill volume (or 60,000 barrels, whichever is less) within a 24 hour period could have arrived on scene*  2) Sensitive areas protected by sufficient types and amounts of boom

\*Recovered oil transfer system and interim storage capacity must be able to keep pace with oil recovery. For persistent oils, interim storage capacity should be 5 times the recovery benchmark volume for a given time period, unless higher oil recovery efficiency can be demonstrated.

**DEPARTMENT OF ECOLOGY FACILITY CONTINGENCY PLAN REVIEW:  
OIL CONTAINMENT/RECOVERY BENCHMARKS**

February 1, 1993

PIPELINE TANK FARM (linked to transmission pipeline, but not linked to vessel terminal)

Note: Recovery capacity percentages do not incorporate average efficiency factor; equipment applied to satisfy these percentages must be derated appropriately. Also, these recovery percentages may need to be reduced when applied to planning for spills of non-persistent oils.

1 hour	1) Should have begun recovery at a rate <sup>3</sup> (0.1% of worst case spill volume) per hour*
6 hours	1) Capacity to recover 10% of worst case spill volume (or 12,000 barrels, whichever is less) within a 24 hour period could have arrived on scene*
12 hours	1) Capacity to recover 15% of worst case spill volume (or 36,000 barrels, whichever is less) within a 24 hour period could have arrived on scene*
24 hours	1) Capacity to recover 20% of worst case spill volume (or 48,000 barrels, whichever is less) within a 24 hour period could have arrived on scene*
48 hours	1) Capacity to recover 25% of worst case spill volume (or 60,000 barrels, whichever is less) within a 24 hour period could have arrived on scene*

\*Recovered oil transfer system and interim storage capacity must be able to keep pace with oil recovery. For persistent oils, interim storage capacity should be 5 times the recovery benchmark volume for a given time period, unless higher oil recovery efficiency can be demonstrated.



## FACILITY CONTINGENCY PLAN COMPLETENESS CHECKLIST

Plan Identification Number \_\_\_\_\_ Date Received \_\_\_\_\_

This checklist is to be used to verify that plans are complete prior to actual plan review. The plan and its table of contents should be scanned carefully based on the items of this checklist, and any deficiencies should be noted. The completed form should be signed and dated.

Does the plan include the following?

- |              |   |
|--------------|---|
| YES___ NO___ | Simplified field document suitable for on site use in event of a spill [WAC 173-181-045(5)]   |
| YES___ NO___ | Submittal agreement (including plan acceptance and commitment to execution) signed by the owner or operator [WAC 173-181-050(1)]  |
| YES___ NO___ | Log sheet for amendments [WAC 173-181-050(2)]   |
| YES___ NO___ | Table of contents [WAC 173-181-050(3)]  |
| YES___ NO___ | Purpose and scope of the plan (including geographic area covered, facility covered, and size of worst case spill [WAC 173-181-050(4)]   |
| YES___ NO___ | Update procedures [WAC 173-181-050(5)]  |
| YES___ NO___ | Strategy to ensure use of the plan [WAC 173-181-050(6)]   |
| YES___ NO___ | Description and diagram of spill response organization [WAC 173-181-050(7)]   |
| YES___ NO___ | Primary response contractor section/letters of intent (if pertinent) [WAC 173-181-050(8)]   |
| YES___ NO___ | Relationship to state/federal response plans, and ICS coordination [WAC 173-181-050(9)]   |
| YES___ NO___ | Spill detection/documentation procedures [WAC 173-181-050(10)]  |
| YES___ NO___ | Procedures for immediate notification, identification of person or office to initiate call out process, and categorization of incident type and severity (note: call out list is not required to be included with plan) [WAC 173-181-050(11)] |
| YES___ NO___ | Personnel available to respond to spill (including numbers of people, job descriptions, and training) [WAC 173-181-050(12)]   |
| YES___ NO___ | Spill response equipment types, amounts, location, and characteristics [WAC 173-181-050(13)]  |
| YES___ NO___ | Communication system and procedures [WAC 173-181-050(14)]   |
| YES___ NO___ | Spill response operations sites (e.g., command posts) [WAC 173-181-050(15)].  |
| YES___ NO___ | Spill response flow chart or decision tree/key spill response operations checklist [WAC 173-181-050(16)].   |
| YES___ NO___ | Emergency procedures and list of local/state/federal authorities responsible for associated   |

- emergency operations (e.g., fire, traffic, etc) [WAC 173-181-050(17)]
- YES\_\_\_ NO\_\_\_ Procedures to minimize spillage/structural damage [WAC 173-181-050(18)]
- YES\_\_\_ NO\_\_\_ Methods of oil containment and removal [WAC 173-181-050(19)]
- YES\_\_\_ NO\_\_\_ Initial equipment/personnel deployment activities and execution time [WAC 173-181-050(20)]
- YES\_\_\_ NO\_\_\_ Dispersants or other chemical usage (if applicable) [WAC 173-181-050(21)]
- YES\_\_\_ NO\_\_\_ In situ burning (if applicable) [WAC 173-181-050(22)]
- YES\_\_\_ NO\_\_\_ Environmental protection strategies [WAC 173-181-050(23)]
- YES\_\_\_ NO\_\_\_ Interim storage and permanent disposal of oily wastes & recovered oil [WAC 173-181-050(24)].
- YES\_\_\_ NO\_\_\_ Personnel health and safety procedures [WAC 173-181-050(25)]
- YES\_\_\_ NO\_\_\_ Post-spill review procedures [WAC 173-181-050(26)]
- YES\_\_\_ NO\_\_\_ Schedule of drills, exercises, and tests of internal call out procedures [WAC 173-181-050(27)]
- YES\_\_\_ NO\_\_\_ Measures taken to reduce the likelihood of a spill [WAC 173-181-050(28)]
- YES\_\_\_ NO\_\_\_ Spill risk variables within geographic area [WAC 173-181-050(29)]
- YES\_\_\_ NO\_\_\_ List of environmental variables (sensitive areas, climate, etc.) [WAC 173-181-050(30)]
- YES\_\_\_ NO\_\_\_ List of logistical resources (fire/medical services, shoreline access, etc.) [WAC 173-181-050(31)]
- YES\_\_\_ NO\_\_\_ Response scenarios - small and worst case spills [WAC 173-181-050(32)]
- YES\_\_\_ NO\_\_\_ Glossary of technical terms and abbreviations used in the plan [WAC 173-181-050(33)].
- YES\_\_\_ NO\_\_\_ DEM (1-800-258-5990) and the National Response Center (1-800-424-8802) spill reporting numbers included and correct?
- YES\_\_\_ NO\_\_\_ Are there any other deficiencies in the plan's completeness?  
If yes, explain:
- YES\_\_\_ NO\_\_\_ Is the plan complete and acceptable for plan review pursuant to WAC 173-181-065(1)?

COMMENTS:

Reviewers signature: \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

*Note: This checklist is designed for review purposes only. Contingency plan preparers should not rely only on this checklist during their effort to develop an adequate plan which meets requirements of WAC 173-181.*

## **FACILITY CONTINGENCY PLAN REVIEW CHECKLIST**

**PLAN HOLDER:**

**FACILITY COVERED:**

**PLAN REVIEWER'S NAME:**

**BEGINNING DATE OF PLAN REVIEW:**

*This checklist is a guide to be used for determination of plan adequacy pursuant to WAC 173-181, Sections 045, 050, 060, 065, 070, and 075. A copy of this checklist should be filled out, signed, and dated for each contingency plan reviewed. All remarks necessary to justify the decision to accept a plan should be noted in the comments section - particularly if an item is checked "no." Note that most checklist items are referenced to corresponding guidance material in the Manual for Review of Facility Oil Spill Contingency Plans (January 24, 1992 edition), herein identified as "Manual."*

### **PLAN ADEQUACY**

Each plan should demonstrate the ability of the facility to promptly and properly protect the environment from damage resulting from an oil spill. As you check each section, keep in mind the criteria from WAC 173-181-065 (3) & (4):

*A plan shall be approved if, in addition to meeting criteria in WAC 173-181-045 and WAC 173-181-050, it demonstrates that when implemented, it can:*

1. *To the maximum extent practicable, provide for prompt and proper response to and cleanup of a variety of spills, including small chronic spills, and worst case spills.*
2. *To the maximum extent practicable, provide for prompt and proper protection of the environment from oil spills.*
3. *Provide for immediate notification and mobilization of resources upon discovery of a spill.*
4. *Provide for initial deployment of response equipment and personnel at the site of the spill within 1 hour of the plan holder's awareness that a spill has occurred given suitable safety conditions.*
5. *Use only those primary response contractors approved by the department pursuant to WAC 173-181-090.*
6. *When reviewing plans, the department shall, in addition to the above criteria, consider the following:*
  - (a) *The volume and type of oil(s) addressed by the plan.*
  - (b) *The history and circumstances of prior spills by similar types of facilities, including spill reports by Ecology on-scene coordinators.*
  - (c) *The presence of operating hazards.*
  - (d) *The sensitivity and value of natural resources within the geographic area covered by the plan.*
  - (e) *Any pertinent local, state, federal agency, or public comments received on the plan.*
  - (f) *The extent to which reasonable, cost-effective spill prevention measures have been incorporated.*

## **FORMAT**

- YES \_\_\_\_\_ Plan uses combined narrative/graphic format, is divided into numbered chapters and appendices, makes use of index tabs, and is formatted to allow easy replacement of amended sections per WAC 173-181-045 (14).
- YES \_\_\_\_\_ If computerized plans are submitted, a hard copy of the plan is enclosed in accordance with WAC 173-181-045(6)

**COMMENTS:**

## **SIGNATURES AND ADMINISTRATIVE MATERIAL**

- YES \_\_\_\_\_ Submittal agreement and procedures meet all provisions of WAC 173-181-050(1).
- YES \_\_\_\_\_ Log Sheet is adequate to record information required in WAC 173-181-050(2).
- YES \_\_\_\_\_ Table of contents meets requirements of WAC 173-181-050(3).
- YES \_\_\_\_\_ Purpose and scope section meets all provisions of WAC 173-181-050(4).
- YES \_\_\_\_\_ Plan describes its relationship to appropriate local, state, and federal plans per WAC 173-181-050(9).
- YES \_\_\_\_\_ Procedures and time periods for updates to the plan, as well as its distribution to interested parties, are provided pursuant to WAC 173-181-050(5).
- YES \_\_\_\_\_ Plan will be kept in a central and accessible location and is available at any time, pursuant to WAC 173-181-075(1).
- YES \_\_\_\_\_ Plan presents a strategy to ensure its use for spill response and cleanup operations per WAC 173-181-050(6).
- YES \_\_\_\_\_ Field document adequately summarizes key spill notification and action elements of plan per WAC 173-181-045(5).
- YES \_\_\_\_\_ Glossary of technical terms and abbreviations meets requirement of WAC 173-181-050(33).

**COMMENTS:**

## **NOTIFICATION**

- YES \_\_\_\_\_ Notification procedures which will be taken immediately to inform appropriate parties that a spill has occurred, are adequate per WAC 173-181-050(11).
- YES \_\_\_\_\_ Notification call out list has been confirmed and contains all necessary information per WAC 173-181-050(11)(a).
- YES \_\_\_\_\_ Plan identifies a central reporting office or individual who is responsible for implementing the call-down process per WAC 173-181-050(11)(b).

YES \_\_\_\_\_ Plan uses an adequate system of categorizing spill type and severity pursuant to WAC 173-181-050(11)(c).

**COMMENTS:**

**SPILL ACTION PLAN**

YES \_\_\_\_\_ Plan addresses coordination with the Incident Command System per WAC 173-181-050(9).

YES \_\_\_\_\_ Spill detection and documentation measures are adequate per WAC 173-181-050(10).

YES \_\_\_\_\_ Spill surveillance, containment & recovery methods are adequately covered pursuant to WAC 173-181-050(19).

YES \_\_\_\_\_ Response operation site establishment criteria, including command post and equipment staging sites, are provided pursuant to WAC 173-181-030(15).

YES \_\_\_\_\_ A checklist and flow chart/decision tree for each major stage of a spill response operation are satisfactory per WAC 173-181-050(16).

YES \_\_\_\_\_ If applicable, use of dispersants and/or other chemical agents are described pursuant to WAC 173-181-050(21).

YES \_\_\_\_\_ If applicable, use of in-situ burning is described pursuant to WAC 173-181-050(22).

YES \_\_\_\_\_ Government authorities responsible for emergency operations and the plan holders role in these operations prior to arrival of proper authorities, are listed pursuant to WAC 173-181-050(17).

YES \_\_\_\_\_ Equipment and procedures to control structural damage and minimize the magnitude of the spill are described pursuant to WAC 173-181-050(18).

YES \_\_\_\_\_ Logistical resources within the geographical area covered by the plan are listed pursuant to WAC 173-181-050(31).

**COMMENTS:**

**RESPONSE TEAM**

YES \_\_\_\_\_ Plan describes spill response system organization, task assignments, and chain of command per WAC 173-181-050(7).

YES \_\_\_\_\_ Plan provides for adequate response personnel availability, and addresses personnel positions, numbers, and training pursuant to WAC 173-181-050(12).

YES \_\_\_\_\_ Personnel pre-staging and deployment activities meet one hour response standard as per WAC 173-181-065(3).

YES \_\_\_\_\_ If applicable, approved primary response contractor information and letter of intent are is provided per WAC 173-181-050(8)(a & c).

YES \_\_\_\_\_ If applicable, oil spill cooperative membership information and proof of membership is provided per WA 173-181-050(8)(b)].

**COMMENTS:**

### **RESPONSE EQUIPMENT**

YES \_\_\_\_\_ Spill response equipment inventory information is provided in accordance with WAC 173-181-050(13)(a).

YES \_\_\_\_\_ Plan addresses the extent to which other plans rely on same equipment, pursuant to WAC 173-181-050(13)(b) ].

YES \_\_\_\_\_ Plan addresses recovery equipment nameplate capacity, applicable design limits, efficiency factors, and maximum amount of oil recoverable in a 24 hour period per WAC 173-181-050(13) (c-e).

YES \_\_\_\_\_ Equipment pre-staging and deployment activities meet one hour response standard as per WAC 173-181-065(3).

YES \_\_\_\_\_ Equipment capability is sufficient to respond to worst case and other spills per WAC 173-181-065(3).

YES \_\_\_\_\_ Facility plan meets the Benchmarks (Appendix B of the Plan Review Manual).

**COMMENTS:**

### **COMMUNICATIONS**

YES \_\_\_\_\_ Communications procedures, and functions and range of communication channels/frequencies used are addressed per WAC 173-181-050(14).

**COMMENTS:**

### **DISPOSAL**

YES \_\_\_\_\_ Interim storage procedures and site criteria for recovered oil/oily wastes are adequately addressed pursuant to WAC 173-181-050(24)(a, b, d and e).

YES \_\_\_\_\_ Permanent disposal methods and sites for recovered oil/oily wastes are adequately addressed pursuant to WAC 173-181-050(24)(c, d and e) .

YES \_\_\_\_\_ The plan identifies and is consistent with the Washington State disposal plans described in the Northwest Area Contingency Plan.

**COMMENTS:**

## **RISK ANALYSIS/PREVENTION**

- YES \_\_\_\_\_ Worst case spill volume is appropriate and equals or exceeds the largest facility storage tank volume per WAC 173-181-030(31) and WAC 173-181-050(4)(c).
- YES \_\_\_\_\_ Spill risk variables within the geographic area of the plan are shown per WAC 173-181-050(29).
- YES \_\_\_\_\_ Small and worst case spill scenarios satisfy requirements of WAC 173-181-050(32), and cover simultaneous spills if the plan covers multiple facilities.
- YES \_\_\_\_\_ In the event that no spill prevention plan pursuant to WAC 173-180D has been submitted to the Washington Department of Ecology, spill prevention measures are sufficiently described per WAC 173-181-050(28).

**COMMENTS:**

## **ENVIRONMENTAL PROTECTION/DATA**

- YES \_\_\_\_\_ Shoreline and other environmental protection is adequately addressed per WAC 173-181-050(23)(a).
- YES \_\_\_\_\_ Sensitive area protection priorities are addressed and conform with priorities in state environmentally sensitive area maps per WAC 173-181-050(23)(b)].
- YES \_\_\_\_\_ Rescue and rehabilitation of birds, marine mammals, and other wildlife conforms with Department of Wildlife rules, as per WAC 173-181-050 (23)(c).
- YES \_\_\_\_\_ Measures to reduce damage to the environment from cleanup operations are adequately discussed per WAC 173-181-050(23)(d).
- YES \_\_\_\_\_ Natural resources in the geographic area covered by the plan are accurately listed per WAC 173-181-050(30)(a).
- YES \_\_\_\_\_ Public resources in the geographic area covered by to plan are listed accurately in accordance with WAC 173-181-050(30)(b).
- YES \_\_\_\_\_ Hydrographic, climatic, and geographic conditions and features in the geographic area of the plan are listed in accordance with WAC 173-181-050(30)(c).
- YES \_\_\_\_\_ The plan identifies and commits to implement the geographic response plans.

**COMMENTS:**

## **SAFETY AND TRAINING**

- YES \_\_\_\_\_ Health and safety protection procedures, and provisions for training, decontamination facilities, safety gear and a safety officer are addressed in accordance with WAC 173-181-050(25).

YES \_\_\_\_\_ Type and frequency of spill response training for personnel is satisfactory per WAC 173-181-050(12)(d).  
Procedures, if applicable, to train volunteers for spill response operations are in accordance with WAC  
173-181-050(12)(e).

COMMENTS:

**DRILLS/EVALUATION**

YES \_\_\_\_\_ Post-spill review procedures meet requirements of WAC 173-181-050(26).

YES \_\_\_\_\_ Schedule of drills and exercises satisfy requirements of WAC 173-181-050(27)(a).

YES \_\_\_\_\_ Plan provides for internal call out test at least every 90 days as per WAC 173-181-050(27)(b).

COMMENTS:

**ADDITIONAL NOTES**

As stated under WAC 173-181-065(7)(f), approval does not constitute an express assurance regarding the adequacy of this plan or does it constitute a defense to liability imposed under state law. Further, in accordance with WAC 173-181-080, the Department of Ecology must be notified as soon as possible and within twenty-four hours of any significant change which could affect implementation of the plan, including a substantial decrease in available spill response equipment or personnel. The plan holder shall also provide a schedule for the prompt return of the plan to full operational status. A facsimile will be considered written notice for the purposes of this subsection.

Based on applicable provisions of WAC 173-181, this checklist and my best professional judgement, I recommend that the contingency plan for \_\_\_\_\_ be: \_\_\_\_\_

Plan Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_



## VESSEL CONTINGENCY PLAN COMPLETENESS CHECKLIST

Plan Submitter Name & Address:

Date Received:

Date Reviewed:

This checklist is used by the Department of Ecology (Ecology) to verify that vessel contingency plans are complete prior to actual plan review. The plan, its table of contents and appendices have been scanned carefully based on the items of this checklist.

PLEASE NOTE: Required elements of the plan which appear to be completely addressed will be checked "YES" on the checklist. If the required element was located but not addressed adequately, it will be checked "YES" and there will be accompanying comments from the plan reviewer in **bold type**. If the element could not be located, it will be checked "NO" and may be followed by reviewer comments in **bold type**. It is important to remember that Ecology has not yet reviewed the substance of your plan and completeness does not confer approval!

- YES\_\_\_ NO\_\_\_ Formatting Requirements [WAC 317-10-045]  
Divided into chapters & appendices  
Index Tabs
- YES\_\_\_ NO\_\_\_ Plan Submittal Requirements  
Name, Address and phone of submitting party [WAC 317-10-050]  
Three copies of Plan submittal [WAC 317-10-060]
- YES\_\_\_ NO\_\_\_ Plan Content Requirements  
Vessel names(s), official ID or call sign, country of registry (flag),  
common ports of call in WA waters, oil volume capacity, expected  
period of operation in WA, and passenger capacity if passenger vessel.  
Name and address of owner and/or operator [WAC 317-10-050]
- YES\_\_\_ NO\_\_\_ Simplified field document suitable for on site use in event of a spill  
[WAC 317-10-45]
- YES\_\_\_ NO\_\_\_ Submittal agreement (including plan acceptance and commitment to  
execution) signed by the owner or operator [WAC 317-10-050(1)]
- YES\_\_\_ NO\_\_\_ Log sheet for amendments [WAC 317-10-050(2)]

- YES\_\_\_ NO\_\_\_ Table of Contents [WAC 317-10-050(3)]
- YES\_\_\_ NO\_\_\_ Purpose and Scope of the Plan (including geographic area covered, and size of worst case spill [WAC 317-10-050(4)]
- YES\_\_\_ NO\_\_\_ Update Procedures [WAC 317-10-050(5)]
- YES\_\_\_ NO\_\_\_ Strategy to ensure use of the plan [WAC 317-10-050(6)]
- YES\_\_\_ NO\_\_\_ Description or diagram of spill response organization [WAC 317-10-050(7)]
- YES\_\_\_ NO\_\_\_ Primary response contractor section/letters of intent (if pertinent) [WAC 317-10-050(8)]
- YES\_\_\_ NO\_\_\_ Relationship to local, regional, state and federal response plans, and ICS coordination [WAC 317-10-050(9)]
- YES\_\_\_ NO\_\_\_ Spill detection/documentation procedures [WAC 317-10-050(10)]
- YES\_\_\_ NO\_\_\_ Procedures for immediate notification, identification of person or office to initiate call out process, and categorization of incident type and severity (note: call out list is not required to be included with plan) [WAC 317-10-050(11)]
- YES\_\_\_ NO\_\_\_ Personnel available to respond to spill (including numbers, job descriptions, training) [WAC 317-10-050(12)]
- YES\_\_\_ NO\_\_\_ Spill response equipment, types, amounts, and characteristics [WAC 317-10-050(13)]
- YES\_\_\_ NO\_\_\_ Description of communication systems and procedures [WAC 317-10-050(14)]
- YES\_\_\_ NO\_\_\_ Description of the process of establishing spill response operations sites (e.g., command posts) [WAC 317-10-050(15)]
- YES\_\_\_ NO\_\_\_ Spill response flow chart or decision tree/key spill response operations checklist [WAC 317-10-050(16)].
- YES\_\_\_ NO\_\_\_ Emergency procedures and list of local/state/federal authorities responsible for associated emergency operations (e.g., fire, traffic, etc.) [WAC 317-10-050(17)]

YES___ NO___	Description of equipment and procedures to minimize spillage/structural damage [WAC 317-10-050(18)]
YES___ NO___	Methods of oil containment and removal [WAC 317-10-050(19)]
YES___ NO___	Initial equipment/personnel deployment activities and execution time [WAC 317-10-050(20)]
YES___ NO___	Dispersants or other chemical usage (if applicable) [317-10-050(21)]
YES___ NO___	In situ burning (if applicable) [WAC 317-10-050(22)]
YES___ NO___	Environmental protection strategies [WAC 317-10-050(23)]
YES___ NO___	Interim storage and permanent disposal of oily wastes & recovered oil [WAC 317-10-050(24)]
YES___ NO___	Personnel health and safety procedures [WAC 317-10-050(25)]
YES___ NO___	Post-spill review procedures [WAC 317-10-050(26)]
YES___ NO___	Schedule of drills, exercises, and tests of internal call out procedures [WAC 317-10-050(27)]
YES___ NO___	Measures taken to reduce the likelihood of a spill (tank vessels only) [WAC 317-10-050(28)]
YES___ NO___	Spill risk variables within geographic area [WAC 317-10-050(29)]
YES___ NO___	List of environmental variables (sensitive areas, climate etc.) [WAC 317-10-050(30)]
YES___ NO___	List of logistical resources (fire/medical service, shoreline access, etc.) [WAC 317-10-050(31)]
YES___ NO___	Response scenarios - small and worst case spills [WAC 317-10-050(32)]
YES___ NO___	Glossary of technical terms and abbreviations used in the plan [WAC 317-10-050(33)]
YES___ NO___	EMD (1-800-258-5990) and the National Response Center 1-800-424-8802) spill reporting numbers included and correct? [WAC 317-10-050]
YES___ NO___	Is the plan complete and acceptable for plan review pursuant to [WAC 317-10-065(1)]?

COMMENTS:

Reviewers signature: \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Note: This checklist is designed for review purposes only. Contingency plan preparers should not rely only on this checklist during their effort to develop an adequate plan that meets requirements of Washington Administrative Code (WAC) 317-010.

**WASHINGTON DEPARTMENT OF ECOLOGY**  
**VESSEL CONTINGENCY PLAN REVIEW CHECKLIST**

**PLAN HOLDER:**

**VESSELS COVERED**

**PLAN REVIEWER'S NAME:**

**BEGINNING DATE OF PLAN REVIEW:**

This checklist is a guide to be used for determination of plan adequacy pursuant to WAC 317-010, Sections 045, 050, 060, 065, 070, and 075. A copy of this checklist should be filled out, signed, and dated for each contingency plan reviewed. All remarks necessary to justify the decision to accept a plan should be noted in the comments section.

**PLAN ADEQUACY**

Each plan should demonstrate the ability of the vessel to promptly and properly protect the environment from damage resulting from an oil spill. As you check each section, keep in mind the criteria from **WAC 317-010-065 (3) and (4)**:

A plan shall be approved if, in addition to meeting criteria in WAC 317-010-045 and WAC 317-010-050, it demonstrates that when implemented, it can:

1. To the maximum extent practicable, provide for prompt and proper response to and cleanup of a variety of spills, including small chronic spills, and worst case spills.
2. To the maximum extent practicable, provide for prompt and proper protection of the environment from oil spills.
3. Provide for immediate notification and mobilization of resources upon discovery of a spill.
4. Provide for initial deployment of response equipment and personnel at the site of the spill within 1 hour of the plan holder's awareness that a spill has occurred given suitable safety conditions.
5. Use as primary response contractors only those response contractors approved by the department pursuant to WAC 317-010-090.
5. When reviewing plans, the department shall, in addition to the above criteria, consider the following:

- (a) The volume and type of oil(s) addressed by the plan.
- (b) The history and circumstances of prior spills by similar types of vessels, including spill reports by Ecology on-scene coordinators.
- (c) The presence of operating hazards.
- (d) The sensitivity and value of natural resources within the geographic area covered by the plan.
- (e) Any pertinent local, state, federal agency, or public comments received on the plan.
- (f) The extent to which reasonable, cost-effective spill prevention measures have been incorporated into the plan.

## **FORMAT**

- YES \_\_\_ Plan uses combined narrative/graphic format, is divided into numbered chapters and appendices, makes use of index tabs, and is formatted to allow easy replacement of amended sections per WAC 317-010-045 (1, 2, 3 & 4).
- YES \_\_\_ If computerized plans are submitted, a hard copy of the plan is enclosed in accordance with WAC 317-010-045 (6).

## **OTHER COMMENTS:**

## **SIGNATURES AND ADMINISTRATIVE MATERIAL**

- YES \_\_\_ Field document adequately summarizes key spill notification and action elements of Plan per WAC 317-010-045(5).
- YES \_\_\_ Submittal Agreement and procedures meet all provisions of WAC 317-010-050(1)(a, b, c & d).
- YES \_\_\_ Log Sheet is adequate to record information required in WAC 317-010-050(2).
- YES \_\_\_ Table of contents meets requirements of WAC 317-010-050(3).
- YES \_\_\_ Purpose and Scope section meets all provisions of WAC 317-010-050(4)(a, b & c).
- YES \_\_\_ Procedures and time periods for updates to the plan, as well as its distribution to interested parties, are provided pursuant to WAC 317-010-050(5).
- YES \_\_\_ Plan presents a strategy to ensure its use for spill response and cleanup operations per WAC 317-010-050(6)/WAC 317-010-075(1, 2 & 3).
- YES \_\_\_ Plan describes its relationship to appropriate local, federal and state plans, and how it will coordinate with state/federal ICS plans, per WAC 317-010-050(9).

- YES\_\_\_ Each vessel covered by this plan possesses a copy of this plan, and keeps it in a conspicuous and accessible location --plan shall be accessible at any time by the incident commander or spill response manager per WAC 317-010-075(1).
- YES\_\_\_ Field document is available to all appropriate personnel per WAC 317-010-075(2).
- YES\_\_\_ Glossary of technical terms and abbreviations meets requirement of WAC 317-010-050(33).

OTHER COMMENTS

**NOTIFICATION**

- YES\_\_\_ Plan describes notification procedures which will be taken immediately to notify appropriate parties that a spill has occurred pursuant to WAC 317-010-050(11).
- YES\_\_\_ Notification call out list is available for inspection and satisfies requirements of WAC 317-010-050(11)(a).
- YES\_\_\_ The plan identifies a central reporting office or individual who is responsible for implementing the call-down process per WAC 317-010-050(11)(b).
- YES\_\_\_ Plan uses an adequate system of categorizing spill type and severity pursuant to WAC 317-010-050(11)(c).

OTHER COMMENTS:

**SPILL ACTION PLAN**

- YES\_\_\_ Coordination with the Incident Command System is addressed as per WAC 317-010-050(9).
- YES\_\_\_ Spill detection and documentation measures and equipment are itemized and described per WAC 317-010-050(10).
- YES\_\_\_ Response operation site establishment criteria are provided for pursuant to WAC 317-010-050(15), including a central command post, central communications post (if separate from command post) and equipment staging site.

- YES \_\_\_ A checklist and flow chart/decision tree for each major stage of a spill response operation are satisfactorily addressed per WAC 317-010-050(16)(a & b).
- YES \_\_\_ Government authorities responsible for emergency operations peripheral to spill containment and cleanup, as well as the plan holders role in these peripheral operations prior to arrival of proper authorities, are listed in this plan pursuant to WAC 317-010-050(17)(a & b).
- YES \_\_\_ Equipment and procedures to control structural damage (which may increase the quantity of oil spilled) and minimize the magnitude of the spill are described pursuant to WAC 317-010-050(18).
- YES \_\_\_ Surveillance, response, containment & recovery methods are adequately covered in accordance with WAC 317-010-050(19)(a, b, c & d).
- YES \_\_\_ Initial equipment/personnel deployment activities and estimate of initial execution time per WAC 317-010-050(20).
- YES \_\_\_ If applicable, dispersant/coagulant/bioremediants/other chemical agents are described in this plan pursuant to WAC 317-010-050(21)(a, b, c & d).
- YES \_\_\_ If applicable, in-situ burning is described pursuant to WAC 317-010-050(22)(a, b, c & d).
- YES \_\_\_ Logistical resources within the geographical area covered by the plan are presented pursuant to WAC 317-010-050(31)(a & b).

OTHER COMMENTS:

### **RESPONSE TEAM**

- YES \_\_\_ Plan describes spill response system organization, task assignments addressed under WAC 317-010-050, roles of incident commander or spill response manager and who shall possess lead authority in spill response/cleanup decisions. Plan also describes how a smooth transfer of the incident commander or primary spill response manager position between individuals will be accomplished and provides an organizational diagram depicting chain of command. The aforementioned is required per WAC 317-010-050(7).
- YES \_\_\_ If applicable, approved primary response contractor information and letter of intent are provided per WAC 317-010-035(3)/WAC 317-010-050(8)(a & c)/WAC 317-010-090.



YES\_\_\_ If applicable, oil spill cooperative membership information is provided per WAC 317-010-050(8)(b).

YES\_\_\_ Plan addresses response personnel job descriptions, numbers, organization, pre-positioning, training and (if applicable) use and training of volunteers in accordance with WAC 317-010-050(12)(a, b, c, d & e).

OTHER COMMENTS:

### **RESPONSE EQUIPMENT**

YES\_\_\_ Spill response equipment inventory information is provided in accordance with WAC 317-010-050(13)(a).

YES\_\_\_ If applicable, plan addresses the extent to which other plans rely on same equipment in accordance with WAC 317-010-050(13)(b).

YES\_\_\_ Plan addresses equipment make and model, nameplate capacity, applicable design limits, efficiency factors and maximum amount of oil recoverable in a 24 hour period per WAC 317-010-050(13) (c, d & e).

YES\_\_\_ Equipment pre-staging and deployment activities meet two hour response standard per WAC 317-010-050(13)(f)/WAC 317-010-050(20)/WAC 317-010-065(3)(d).

YES\_\_\_ Equipment capability is sufficient to respond to worst case and other spills per WAC 317-010-065(3)(a, b, c, d, & e).

YES\_\_\_ Vessel plan meets the Benchmarks (Appendix B of the Plan Review Manual).

OTHER COMMENTS:

### **COMMUNICATIONS**

YES\_\_\_ Communications procedures, function and range are addressed pursuant to WAC 317-010-050(14)(a, b & c).

OTHER COMMENTS:

### **DISPOSAL**

- YES\_\_\_ Site criteria/methods/local-state-federal requirements associated with interim storage and permanent disposal of recovered oil/oily wastes are adequately addressed pursuant to WAC 317-010-050(24)(a, b, d and e).
- YES\_\_\_ Methods and sites used for permanent disposal of recovered oil/oily wastes are adequately addressed and meet applicable local-state-federal requirements pursuant to WAC 317-010-050(24)(c, d and e).
- YES\_\_\_ The plan identifies and is consistent with the Washington State disposal plans described in the Northwest Area Contingency Plan.

OTHER COMMENTS:

### **RISK ANALYSIS/PREVENTION**

- YES\_\_\_ Worst case spill volume is appropriate and equal to or greater than the largest vessel per WAC 317-010-030(31)/WAC 317-010-050(4)(c).
- YES\_\_\_ Spill risk variables within the geographic area of the plan are shown per WAC 317-010-050(29)(a, b & c).
- YES\_\_\_ Small & worst case spill scenarios satisfy requirements of WAC 317-010-050(32)(a, b & c).
- YES\_\_\_ In the event that no separate plan pursuant to Chapter 200-Laws of 1991 has been previously approved by the Washington Department of Ecology, spill prevention measures are sufficiently described for this vessel per WAC 317-010-050(28)(a, b, c & d).

OTHER COMMENTS:

### **ENVIRONMENTAL PROTECTION/DATA**

- YES\_\_\_ Shoreline and other environmental protection is adequately addressed per WAC 317-010-050(23)(a).
- YES\_\_\_ Sensitive area protection priorities are addressed and conform with priorities in state environmentally sensitive area maps per WAC 317-010-050(23)(b).
- YES\_\_\_ Rescue and rehabilitation of birds, marine mammals, and other wildlife in conformance with Washington Department of Wildlife rules per WAC 317-010-050 (23)(c).

- YES\_\_\_ Measures to reduce damage to the environment from cleanup operations are adequately discussed per WAC 317-010-050(23)(d).
- YES\_\_\_ Natural resources in the geographic area covered by the plan are listed in accordance with WAC 317-010-050(30)(a).
- YES\_\_\_ Public resources in the geographic area covered by to plan are listed in accordance with WAC 317-010-050(30)(b).
- YES\_\_\_ Seasonal hydrographic and climatic conditions in the geographic area of the plan are listed in accordance with WAC 317-010-050(30)(c).
- YES\_\_\_ Physical geographic features in the geographic area of the plan are listed in accordance with WAC 317-010-050(30)(d).
- YES\_\_\_ The plan identifies and commits to implement the geographic response plans.

OTHER COMMENTS:

#### **SAFETY AND TRAINING**

- YES\_\_\_ Health and safety protection procedures, as well as provisions for training, decontamination facilities, safety gear and a safety officer, are addressed in accordance with WAC 317-010-050(25).
- YES\_\_\_ Type and frequency of safety and spill response training for personnel is in accordance with WAC 317-010-050(12)(d). Procedures (if any) used to train volunteers willing to assist in spill response operations are in accordance with WAC 317-010-050(12)(e).

OTHER COMMENTS:

#### **DRILLS/EVALUATION**

- YES\_\_\_ Post-spill review procedures meet requirements of WAC 317-010-050(26).
- YES\_\_\_ Schedule of drills and exercises satisfy requirements of WAC 173-18-050(27)(a)/WAC 317-010-070(3)(a, b & c), and ninety day interval call out procedures are addressed in accordance with WAC 317-010-050(27)(b).

OTHER COMMENTS:

ADDITIONAL NOTES

As stated under WAC 317-010-065(7)(f), approval does not constitute an express assurance regarding the adequacy of this plan nor does it constitute a defense to liability imposed under state law. Further, in accordance with WAC 317-010-080 the Department of Ecology must be notified as soon as possible and within twenty-four hours of any significant change which could affect implementation of the plan, including a substantial decrease in available spill response equipment or personnel. The plan holder shall also provide a schedule for the prompt return of the plan to full operational status. A facsimile will be considered written notice for the purposes of this subsection.

Based on applicable provisions of WAC 317-010, this checklist and my best professional judgment, I recommend that the contingency plan for \_\_\_\_\_ be: \_\_\_\_\_  
(any appropriate conditions are noted on an attached separate page).

Plan Reviewer: \_\_\_\_\_ Date: \_\_\_\_\_

*Note: This checklist is designed for review purposes only. Contractor approval applicants should not rely only on this checklist during their effort to meet the application requirements of WAC 173-181 and WAC 317-10.*

**CONTRACTOR:**

**REVIEWER'S NAME:**

**BEGINNING DATE OF REVIEW:**

This checklist is a guide to be used for determination of contractor application adequacy pursuant to WAC 317-10-090 and WAC 173-181-090. A copy of this checklist should be filled out, signed, and dated for each contractor application reviewed. All remarks necessary to justify the decision to accept an application should be noted in the comments section.

- YES\_\_\_ NO\_\_\_      1) Check for effective call down procedures.  
a) verify one hour mobilization capability ( beepers, home phones, on-call status?)  
b) how many people are on call and available at any one time after hours?
- YES\_\_\_ NO\_\_\_      2) Communication system is addressed.
- YES\_\_\_ NO\_\_\_      3) Application describes spill response system organization.
- YES\_\_\_ NO\_\_\_      4) Check personnel list and training records.
- YES\_\_\_ NO\_\_\_      5) Check personnel locations, responsibilities, and qualifications.
- YES\_\_\_ NO\_\_\_      6) Check numbers and availability of dedicated personnel.
- YES\_\_\_ NO\_\_\_      7) Response equipment inventory is provided, and includes equipment

type, location, age, maintenance schedule, and other required information.

YES\_\_\_ NO\_\_\_ 8) Check the ratio of available response equipment to personnel.

YES\_\_\_ NO\_\_\_ 9) Check with the Ecology regional spill responders for a response history and experience with the contractor during spill response.

YES\_\_\_ NO\_\_\_ 10) Evaluate the safety history of the company.

**Using the application, add inspection items to the inspection checklist as required.**

Contractor Application Completeness Checklist

Contractor Name \_\_\_\_\_

Date Application Received \_\_\_\_\_

This checklist is to be used to verify that an application is complete prior to actual review. The application should be scanned carefully based on the items of this checklist, and any deficiencies should be noted. The completed form should be signed and dated.

Does the plan include the following information?

YES\_\_\_ NO\_\_\_ Contractor Name

YES\_\_\_ NO\_\_\_ Address of Facility

YES\_\_\_ NO\_\_\_ Phone Number

YES\_\_\_ NO\_\_\_ Tax I.D. (UBI) Number

YES\_\_\_ NO\_\_\_ Geographic Area Served

YES\_\_\_ NO\_\_\_ Type of Cleanup and Media Capabilities

YES\_\_\_ NO\_\_\_ Organizational Diagram with chain of command

YES\_\_\_ NO\_\_\_ Call Down List

YES\_\_\_ NO\_\_\_ Job Description for each Type of Spill Response Position

YES\_\_\_ NO\_\_\_ Number of Personnel for Each Position

YES\_\_\_ NO\_\_\_ Type and Frequency of Spill Responses and Training for Each Individual

YES\_\_\_ NO\_\_\_ Inventory of Equipment

YES\_\_\_ NO\_\_\_ List of OSHA\WISHA Citations for past 5 years

Reviewers signature \_\_\_\_\_

Date of Completeness Review \_\_\_\_\_





## CONTRACTOR INSPECTION CHECKLIST

CONTRACTOR NAME: \_\_\_\_\_

INSPECTOR'S NAME: \_\_\_\_\_ Date: \_\_\_\_\_

*This checklist is to be used during the Inspection of a Contractor. The checklist will verify that the Contractor has all the equipment and personnel listed in the application. The Inspection should be based on the items in the application and the review checklist. Each item of the review checklist should be verified, and any deficiencies should be noted. The completed form should be signed and dated at the end of the inspection.*

Inform the contractor's representative of the following:

- \_\_\_ Time frame for approval of the application following the inspection;
- \_\_\_ Expiration two years from approval date, re-submittal of application 60 days prior to expiration date (WAC 173-181-096 (4))
- \_\_\_ Requirement of notification of significant change in information presented in application (WAC 173-181-096 (5))
- \_\_\_ "Failure to notify the department may result in loss approval status" (Statutory Authority RCW 90.48.035)

### PERSONNEL

\_\_\_ Number of personnel available for each spill response position, qualifications for each position (pull a few personnel records)

\_\_\_ Call out list, every spill responder 24 hr contact; alternate contact

\_\_\_ Type and frequency of training for each individual.

\_\_\_ Tracking system for spill responder availability

\_\_\_ Number of personnel available

\_\_\_ Mobilization within one hour

\_\_\_ OSHA/WISHA and safety records

*Response personnel shall comply with all appropriate safety and training requirements listed in WAC 296-62-300. Training records may be audited for verification.*

\_\_\_ Pick a name from the call out list, contact them (get permission, ask what their job is, and what equipment on which they are trained)

PERSONNEL INSPECTION NOTES:

## EQUIPMENT

\_\_\_ Inventory of equipment. Includes response, containment, recovery, storage, removal, shoreline and adjacent land cleanup, wildlife rescue and rehabilitation, communication.

Spot Check:

- a) name plate specifications
- b) type, quantity, age, and condition
- c) location
- d) design limitations
- e) maintenance schedule
- f) availability

*Any resources not on site at the time of an inspection must be accounted for by company records.*

\_\_\_ Demonstration of competency. Number of personnel trained on particular equipment. (*dry run or actual deployment*)

*Equipment readiness shall include being available and able to be deployed to a spill site without delay, not counting normal maintenance and repairs.*

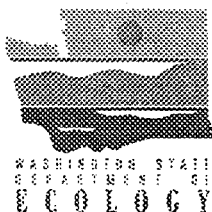
## EQUIPMENT INSPECTION NOTES:

.....

Based on the criteria in WAC 173-181, the review checklist, inspection checklist, and my best professional judgement, I recommend that the \_\_\_\_\_  
be approved as a Primary Response Contractor.  
(qualifications/conditions of approval listed separately? YES\_\_\_ NO \_\_\_)

Inspector's signature: \_\_\_\_\_

Date: \_\_\_\_\_



## **Approved Primary Response Contractors (PRC)**

Approved as per Chapter 173-181 WAC

Updated November 1998

### **Airo Services**

4110 E. 11th Street  
Tacoma, WA 98421  
(360) 383-4916  
PRC Contact: A.H. Koch  
Ecology Contact:  
Mike Osweiler (360) 407-6372

### **All Out Industrial & Env. Services**

3303 D Washington Way  
Longview, WA 98632-1942  
(360) 414-8655  
PRC Contact:  
Darrell Kendall & Ray Caldwell  
Ecology Contact:  
Mike Osweiler (360) 407-6372

### **Certified Cleaning Services, Inc.**

1134 Thorm Road  
Tacoma, WA 98421  
(253)-593-5300  
PRC Contact: Dan Nobal  
Ecology Contact:  
Mike Osweiler (360) 407-6372

### **Clean Sound Cooperative, Inc.**

110 West Dayton, Suite 202  
Edmonds, WA 98020  
(425) 744-0948  
PRC Contact: Roland Miller  
Ecology Contacts:  
Elin Storey (425) 649-7111 &  
Roy Robertson (360) 407-7202

### **Clean Rivers Cooperative, Inc.**

200 SW Market, Suite 190  
Portland, OR 97201  
(503) 220-2040  
PRC Contact: Brent Way  
Ecology Contacts:  
Mike Osweiler (360) 407-6372  
Roy Robertson (360) 407-7202

### **Clean Pacific Alliance**

P.O. Box 2287  
Seattle, WA 98111  
(206) 340-2772  
PRC Contact: Jim Reidel  
Ecology Contacts:  
Roy Robertson (360) 407-7202  
Elin Storey (425) 649-7111

### **COLT Construction Company**

Post Office Box 5246  
Bellingham, WA 98225  
(360) 676-4905 ext. 225  
PRC Contact: David R. Owen  
Ecology Contact:  
Elin Storey (425) 649-7111

### **Cowlitz Clean Sweep, Inc. Services**

340 Oregon Way, Suite C  
Longview, WA 98632  
(360) 423-6316  
PRC Contact: Jeff Wilson  
Ecology Contacts:  
Mike Osweiler (360) 407-6372  
Roy Robertson (360) 407-7202

### **Foss Environmental**

P.O. Box 3535  
Seattle, WA 98124-3535  
(206) 767-0441  
PRC Contact: Paul Gallagher  
Ecology Contacts:  
Elin Storey (425) 649-7111 &  
Roy Robertson (360) 407-7202

### **Global Environmental**

2763 13th Avenue SW  
Harbor Island  
Seattle, WA 98134  
(206) 623-0621  
PRC Contact: Devon Grennan  
Ecology Contact:  
Elin Storey (425) 649-7111

### **Guardian Industrial Services, Inc.**

2103 112<sup>th</sup> St. east  
Tacoma, WA 98445  
(253) 536-0455  
PRC Contact: John Herman  
Ecology Contact:  
Mike Osweiler (360) 407-6372

### **Islands' Oil Spill Association**

225 "A" Street  
Post Office Box 2316  
Friday Harbor, WA 98250-5322  
(360) 378-5322  
PRC Contact: Robyn Albrow  
Ecology Contact:  
Elin Storey (425) 649-7111

### **Marine Spill Response Corp. MSRC**

1105 13th Street  
Everett, WA 98201  
(425) 252-1300  
PRC Contact: Frank Pellegrini  
Ecology Contacts:  
Elin Storey (425) 649-7111 &  
Roy Robertson (360) 407-7202

### **Olympus Environmental**

2002 West Valley Hwy, Suite 600  
Auburn, WA 98001  
(425) 735-6625  
PRC Contact: Aaron Alderson  
Ecology Contact:  
Jeannie Brandt (509) 456-2962

### **Tidewater Environmental**

6305 NW Lower River Road  
Vancouver, WA 98660  
(360) 695-8008  
Oregon (503) 284-2850  
PRC Contact: Dave Godel  
Ecology Contacts:  
Jeannie Brandt (509) 456-2962  
Roy Robertson (360) 407-7202



## DURING AN OIL SPILL:

### OILED WILDLIFE RESCUE IN WASHINGTON STATE

Washington Department of Fish and Wildlife's (WDFW) Rescue Coordinator is responsible for initiating and coordinating wildlife rescue efforts (except for marine mammals) according to state and federal guidelines and the Washington Wildlife Rescue Coalition's response plan. The responsible party should contact this coordinator to initiate a response.

1. Call appropriate oil spill reporting numbers.
2. If there is a risk of oiling animals, contact Washington's Wildlife Rescue Coordinator through Washington's Fish and Wildlife Pager #1.

#### WDFW Spill Team Pager

- For spill reporting only (360) 534-8233
3. Washington's Wildlife Rescue Coordinator and Responsible Party, operating within Incident Command, shall determine what aspects of the wildlife rescue system are needed.

The following may be done, as approved by Incident Command, by Washington's Wildlife Rescue Coordinator:

1. Establish contact with responsible party to implement rescue system.
2. Activate "Oiled Wildlife Reporting" line.
3. Notify and establish contract(s) with contractor(s) for primary care, search and collection and the bird treatment center.
4. Activate 1-800-phone system for volunteers.
5. Set-up safety training for volunteers.
6. Activate Pre-determined Bird Treatment Center.
7. Insure that primary care trailer and primary care/search and collection equipment (equipment needed for first 72-hours) is ready to travel as soon as primary care sites are identified.

WDFW Rescue Coordinator and the responsible party will work with contractors to: choose and establish primary care sites, initiate training, and begin primary care, search and collection and bird treatment operations. Rescue and treatment of marine mammals will be coordinated by USFWS for sea otters and NMFS for all other marine mammals.

Please direct questions to Sara LaBorde, WDFW Wildlife Rescue Coordinator at: 206-664-8032.



# Washington Wildlife Rescue Coalition and WDFW has the following:

## Notification System

1-800-22BIRDS has been established with taped information that citizens and volunteers can call during a spill for information on how they can help. Phone operators will screen and pre-register volunteers during a spill. A phone tree will also be established to notify some responders.

## Oiled Wildlife Reporting Line

A (360) 902-2614 line established for citizens and responders to notify WDFW of oiled wildlife seen at the spill.

## Volunteers

All volunteers must receive required safety training and be registered as Department of Fish & Wildlife volunteers who will be covered under WDFW's liability insurance. Only registered, trained volunteers will be allowed to assist with wildlife rescue efforts. WDFW will be responsible for managing wildlife rescue volunteers through experienced wildlife rescue contractors.

## Search and Collection - Birds

A contractor will coordinate the search and collection of live and dead birds and the management of a volunteer work force.

## Primary Care Center - Birds

A primary care center(s) will be established near the spill site stabilize the health of oiled birds. A contractor will oversee the care of oiled birds in the primary care center(s) and coordinate a volunteer work force. After initial care, birds will be transported to a centralized bird treatment center. A 40-foot trailer has been constructed and is being outfitted for primary care.

## Bird Treatment Center

An agreement with State Parks allows WDFW to use St. Edward State Park in Seattle as an emergency oiled bird rehabilitation facility. An experienced wildlife rehabilitation contractor will operate the treatment center and coordinate a volunteer work force.

## Marine Mammals

U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) will determine appropriate rescue options for marine mammals and identify participants in rescue and rehabilitation operations.

## Equipment

Equipment for search and collection, primary care and treatment center activities needed during the first 72 hours of a response are on-hand ready to be sent to designated sites. This includes a truck for transport.

# WASHINGTON'S WILDLIFE RESCUE RESPONSE SYSTEM

## Objective:

Develop an effective and safe volunteer effort to collect and treat oiled wildlife.

This includes:

Activate 206-664-8397 "OILED WILDLIFE REPORTING LINE"

Activate 1-800-22BIRDS line for volunteer information and registration.

Hire contractors to coordinate search and collection efforts, primary care/stabilization sites, bird treatment center.

Establish primary care sites on-site where birds can be stabilized for transport to treatment center. Establish within 12 hours of contact.

Set-up bird treatment center at St. Edward State Park within 24 hours of contact.

Set-up needed safety training for volunteers.

Be ready to assist federal agencies with marine mammal support where needed.

8/15/94



# Washington State Wildlife Rescue and Response Program

---

About 10 billion gallons of petroleum products are shipped in and out of Puget Sound and another one billion are transported on the Columbia River. Experts estimate there are 1,000 spills of petroleum products in these waters each year. In 1991 the Washington Legislature moved to prepare state government, in concert with local and federal governments and business, to meet the environmental challenges of these spills. This law created the Washington Wildlife Rescue Coalition (Coalition).

## Washington Wildlife Rescue Coalition

Oil and other hazardous substances spilled into the environment can significantly affect wildlife and wildlife habitat. The Coalition is responsible for coordinating rescue and rehabilitation efforts when a spill occurs.

The Coalition is made up of representatives from Department of Fish and Wildlife, Department of Ecology, Adopt-a-Beach, Clean Sound Cooperative, U.S. Fish & Wildlife Service, Washington Conservation Corps and the Department of Community Development. A licensed veterinarian and a certified wildlife rehabilitator both experienced in oiled wildlife rehabilitation complete the Coalition.

The Washington Department of Fish and Wildlife chairs the Coalition. Rescue efforts within the State of Washington are coordinated by the department's wildlife rescue coordinator. The coordinator works with *responsible parties*, if identified, to implement Washington's rescue plan. *Responsible parties* are corporations or individuals whose activities caused a spill.

## The Coalition's Rescue Strategy

Saving wildlife caught in a spill takes quick action and planning.

The Coalition developed a plan based on experience gained from major oil spills, including the Nestucca, Tenyo Maru and Exxon Valdez. The plan's three-part spill response strategy is:

1. **Search and Collection:** Oiled wildlife is located and removed from the spill area.
2. **Primary Care:** Birds are taken to temporary care sites located near the spill area. Here, they are kept warm, provided fluids and oil is removed from their eyes, mouth and nasal cavities.
3. **Treatment and cleaning:** After being held overnight at a primary care site, wildlife is moved to a pre-determined treatment center near Seattle. Here birds are thoroughly washed, then rehabilitated for eventual release back into the wild.

A critical element of the rescue plan is a pre-determined treatment center in the Seattle-Tacoma area. Having the center in close to hundreds of volunteers who can commute to the site daily reduces the impacts on small coastal communities already overwhelmed with large numbers of responders. Other requirements for the treatment center are quick set up, large amounts of water, access to sewer lines and good transportation routes.

## Authority for Wildlife Species

The Wildlife Rescue Coordinator, acts under the authority and guideline of the trustee agencies responsible for wildlife in the State of Washington. Final decisions on species care rests with the appropriate trustee agencies.

The following agencies have trustee authority over fish and wildlife species in Washington:

- Washington Department of Fish and Wildlife
- U.S. Fish and Wildlife Service
- National Marine Fisheries Service
- National Park Service
- Tribal governments

## Funding

Washington's wildlife rescue program is funded mainly through Nestucca settlement monies. Additional funds are needed to develop a permanent bird treatment center and further implement the rescue program. The Coalition will seek gifts and donations from private sources to meet these objectives.

Washington's wildlife rescue system consists of both preparation for and response to oil and hazardous substances spills into the environment. It includes:

## Pre-Spill Activities

### Volunteer Training

Three categories of training are being conducted: 14 eight-hour safety classes for volunteers; special spill response training for certified wildlife rehabilitators; and training for volunteer groups to gather necessary local information.

### Regional/Local Groups

Regional volunteer groups can provide vital local support, knowledge and groundwork before and during a spill. One of the most important activities of regional groups is compiling information such as: shoreline access, beach view points, primary care sites, and lists of local contacts to assist in set-up, staging, and transportation needs.

### Equipment Acquisition

Emergency treatment supplies, personal protection equipment, and search and collection materials needed during the first 72-hours of a spill have been acquired. A 40-foot primary care trailer has been constructed and is being outfitted for initial response. Not all equipment needs have been fulfilled.

### Compiling Local Information

Primary care sites, transportation routes, staging areas and shoreline access and type are being identified with the assistance of local experts, contractors, government agencies and tribes.

## Spill Response

### Safety Training

During a spill, safety training for volunteers requires four hours of classroom and four hours of on-the-job training.

### Notification System

A 1-800 number (1-800-22-BIRDS) has been established to provide details on how citizens can help. Phone operators will screen and pre-register volunteers during a spill. A phone tree will also be established to notify initial responders.

### Oiled Wildlife Reporting

An "Oiled Wildlife Reporting" phone line will be established during a spill for citizens and responders to notify WDF&W of oiled wildlife that has been observed.

### Search and Collection - Birds

A contractor will coordinate collection of live and dead birds from the spill site and supervise a wildlife volunteer work force.

### Primary Care Center - Birds

Primary care centers will be established near the spill site. A contractor will be hired to oversee initial care of oiled birds and coordinate a wildlife volunteer work force. After initial care, birds will be transported to the bird treatment center.

### Bird Treatment Center

An agreement with State Parks allows WDF&W to use St. Edwards State Park in Seattle as an emergency oiled bird rehabilitation facility. An experienced wildlife rehabilitation contractor will be hired to operate the treatment center and coordinate a wildlife volunteer work force. Plans are being developed to construct a permanent bird treatment center in the Puget Sound area.

### Marine Mammals

U.S. Fish and Wildlife Service and National Marine Fisheries Service will determine appropriate rescue options for marine mammals and identify participants for rescue and rehabilitation operations. Wildlife rescue volunteers will not assist in the capture of marine mammals.

For additional information concerning Washington Wildlife Rescue Coalition, the response program or volunteer training opportunities

## THE COALITION IS MANDATED

(RCW 90.56.100) to:

- Develop the mobilization plan to rescue and rehabilitate wildlife injured or endangered by an oil spill or the release of other hazardous substances into the environment;
- Obtain and maintain equipment and supplies in emergency rescue efforts;
- Develop a directory of persons, agencies, and organizations that may provide assistance in an emergency rescue effort;
- Provide advance training and instruction to volunteers in rescuing and rehabilitating oiled wildlife;

## **References of Useful Web Sites**

### **State of Washington Sites**

The Washington State Department of Ecology Internet Home Page

<http://www.wa.gov/ecology/ecyhome.html>

Ecology Spill Program Home Page

<http://www.wa.gov/ecology/spills/spills.html>

Washington State Environmental Laws ( RCWs)

<http://www.wa.gov/ecology/leg/ecyrcw.html>

1997 Washington Administrative Codes

[http://www.mrsc.org/cgi-bin/om\\_cgi.exe?&infobase=wac.nfo&softpage=Browse\\_Frame\\_Pg](http://www.mrsc.org/cgi-bin/om_cgi.exe?&infobase=wac.nfo&softpage=Browse_Frame_Pg)

WAC 173-181

<http://www.wa.gov/ecology/leg/ecywac.html#oil>

### **United States Coast Guard Sites**

Incident Command System Forms

<http://www.uscg.mil/hq/g%2Dm/nmc/response/forms/default.htm>

USCG Marine Safety Office Response Information (FOG, electronic ICS forms, and much more.)

<http://www.uscg.mil/hq/g-m/nmc/response/index.htm>

Northwest Area Committee Home Page – Link to Northwest Area Contingency Plan

<http://www.uscg.mil/d13/units/msopuget/nwac.html>

Text of National Contingency Plan – (You will need Adobe Acrobat to open this.)

<http://www.uscg.mil/hq/g-m/nmc/response/ncp.pdf>

Text of Federal Oil Pollution Act of 1990

<http://www.uscg.mil/hq/g-m/nmc/response/opawordp.pdf>

Guidelines for Developing and Evaluating an Oil Spill Response Exercise

A Handbook for National Preparedness for Response Exercises ( DOT- OPS)

<http://www.uscg.mil/hq/g-m/nmc/response/dotguide.pdf>

### **U.S. Environmental Protection Agency Sites**

Environmental Protection Agency, Region 10 Home Page

<http://www.epa.gov/r10earth/r10.html>

EPA Technical Guidance Documents

<http://www.epa.gov/swercepp/tech.html>

Title III Consolidated List of Lists

<http://www.epa.gov/ceppo/pubs/title3.pdf>

USEPA Spill Program Home Page

<http://www.epa.gov/oilspill/index.html>

**National Oceanographic and Atmospheric Administration Sites**

NOAA - Aids for Oil Spill Responders

<http://response.restoration.noaa.gov/oilaids.html>

NOAA – Open Water Oil Job Aid

Online aid for assessing the character and extent of oil spilled on open water.

[http://response.restoration.noaa.gov/job\\_aid/jobaid.html](http://response.restoration.noaa.gov/job_aid/jobaid.html)

NOAA Hazardous Materials Response and Assessment Division

<http://response.restoration.noaa.gov/inex.html>

NOAA Shoreline Assessment Job Aid

Online aid for assessing the oiled shorelines

[http://response.restoration.noaa.gov/shor\\_aid.html](http://response.restoration.noaa.gov/shor_aid.html)

**Free Spill Response Software**

OSSM

Desk top version of NOAA's On-Scene Spill Model (anticipated early 1999)

<http://response.restoration.noaa.gov/oilaids/trajanl.pdf>

ADIOS

Automated Data Inquiry for Oil Spills (ADIOS) program is an oil weathering model

<http://response.restoration.noaa.gov/software/adios.html>

Marplot

A free GIS type program designed for spill response.

<http://response.restoration.noaa.gov/comeo/marplot.html>

Spill Tools (TM)

A set of three programs designed for oil spill planners and responders: the Mechanical Equipment Calculator, the In-situ Burn Calculator, and the Dispersant Mission Planner.

<http://response.restoration.noaa.gov/oilaids/spiltool/spiltool.html>

### ICS FORMS Solution

An electronic version of the ICS forms, which you can download and use. This is a program not just a reader.

<http://response.restoration.noaa.gov/oilaid/ICS/intro.html>

### HSSM Hydrocarbon Spill Screening Model

Simulates flow of the oil and transport from the surface to the water table; radial spreading of oil at the water table, and dissolution and aquifer transport of dissolved fractions.

<http://www.epa.gov/ada/hssm.html>

### ArcExplorer GIS data browser

<http://www.esri.com/software/arcexplorer/index.html>

## **Other Helpful Sites**

Site from which to download free Adobe Acrobat Reader 3.0

<http://www.adobe.com/prodindex/acrobat/readstep.html>

California Office of Oil Spill Prevention and Response (OSPR)

<http://www.dfg.ca.gov/Ospr/index.html>

Selected Abstracts and Bibliography of International Oil Spill Research

<http://www.lib.lsu.edu/osradp/osradp.html>

Louisiana Applied Oil Spill Research and Development Program

<http://es.epa.gov/ncerqa/osradp/osradp.html>

